

# VOICES OF INDIAN FREEDOM MOVEMENT

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(VOICE OF MUSLIM ISOLATIONISM AND COMMUNALISM)

**Muslim League on Separate Electorate and Nehru Report**

**VOLUME X**

*Part Three*

**(Book 2)**

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For the sake of convenience the phrase 'services scheme' is taken to include the executive, the judiciary, and the general services of the government, that is, the whole government minus its legislative organ, (The executive by itself, in its wider significance, covers not only all the administrative officials; high and low, but also the army, navy and air force). A glance at the provisions made by the Nehru Committee in this connection is sufficient to convince anyone that the Mussalmans are to fare much worse in the scheme of services than in that of representation. The recommendations of the Nehru Committee for the election, selection and appointment of the functionaries of the government, collectively or severally, are so planned as to leave no chance for the Mussalmans to enter any of these services, as a right. What they may get, will get as charity only.

(1) The higher 'executives' *i.e.* the ministerial posts will all be subject to party strength in the Legislatures and Muslim party under Nehru Constitution will never be strong enough to influence the decisions in the matter.

(2) The 'Committee of Defence' which will control the whole armed forces of the land, will consist of three ministers and the other members will be the appointees of these very ministers. So the Committee will in effect be Hindu Committee and not a National Committee of India.

(3) The Supreme Court and High Court will not only be Hindu in their compositions, but a menace to Mussalmans in cases of communal conflicts.

(4) The other branches of public services—administrative, judicial, revenue, educational, medical, military, naval, aerial and what not—will directly or indirectly be under the control and patronage of these three high groups of functionaries with a Public Service Commission to help them, theoretically, in the selection and appointment of officials, but, practically, to guard against the entry of Mussalmans by any side-door

into the sacred precincts of governmental services.

No refined phraseology, no sophistical principles, no make-believe promises, no enticing appeals to patriotism and no inciting exhortations to free the country of the foreigners, can make the Mussalmans blind to see that under the Nehru Commonwealth the whole cadre of government services, from top to bottom, is bound to become automatically non-Muslim.

*The Amendment of the Constitution*

The amendment of the constitution has always been one of the knotty questions for the makers of any constitution, and no system has yet been discovered that may uniformly be adopted by all countries having a written constitution. There is a wide diversity in tackling the problem. On one end stands the Republic of the United States of America with such a cumbersome machinery of amendment that it has practically become immovable. On the other end is the Republic of France where 'any revision of the constitution can be adopted in a joint session of the Chamber of Deputies and the Senate.' The Nehru Committee has followed the French method and has laid down that any of the provisions of the constitution may be repealed or altered by a two-third votes of both the Houses of Parliament sitting together.

By so doing they have first of all rendered the Senate a useless organ in the matter of the amendment of the Constitution, as the House of Representatives alone by itself will form more than two-third of the strength of the combined Houses. Secondly, they have given no chance to the people at large to have any influence by any means in the amendment of the Constitution. A Legislature elected with no idea of making any change in the Constitution, may change it to any extent at any time without the slightest reference to the people, although the trend of the age is quite against it. The more recent the constitutions, the more they give direct control to people in the matter. Within the British Empire the Constitution of the Commonwealth of Australia is one of the latest

and the continent has in may respects greater resemblance to India than any other self-governing part of the Empire. This Constitution provides that proposals for amendment be made in the Legislature and after passing both Houses by an ordinary majority, be submitted to the people. To be adopted they must obtain a majority of the votes cast as a total and be carried in a majority of the States, (This last condition if adopted in India, though would not have given any deciding influence to the Mussulmans, yet it would have given some weight to their voice, owing to their being in majority in some provinces. But this is what the Nehru Committee wants to avoid very carefully). Similarly, the Constitution of the Irish Free State provides that amendments of the Constitution can only become law after submission to a Referendum of the people. Even in England with its very flexible unwritten Constitution, no constitutional change can be passed so haphazardly. 'In 1892 the Liberals were returned to office on a platform which expressly stipulated Home Rule for Ireland'. The House of Commons passed the bill, but the Lords rejected it on the plea that the election was not fought on this very bill. By the Parliament Act of 1911, the predominance of the House of Commons is established, but with what cautious steps? In case the House of Lords does not agree with the House of Commons on any public bill passed by the latter House, that bill in order to become a statute should be passed by the lower House in three successive sessions with at least two years time elapsing 'between the date of second reading of such a bill in the first of these sessions of the House of Commons and the final passage of the bill in the third of the sessions.' But in India Upper House (which will contain some Muslim members elected by Proportional Representation) is not even allowed to vote separately on such vital questions as the amendment of the Constitution.

Thirdly, the Mussulmans are entirely deprived of having any influence in this amendment of the Constitution. This is not against expectations. As shown before the safeguards provided for minorities are by themselves inadequate and slippery in their nature, but irrespective of what and how, the

salient point is if the minorities are secured against these so-called safeguards not being changed in direct opposition to the wishes of these minorities ? The only minority, of which the Nehru Committee has taken any note, are Mussulmans, but in flagrant contravention to the resolution of the Madras Congress and the United demand of those Muslim organizations which deemed fit to co-operate with the Congress, the Committee has gone against reserving one-third seats for Mussulmans in the Central Legislature, and that for ten years only, when they will be left completely at the mercy of the Hindus. Their position is sure to become worse when the reservation is removed. But worse or not, it is certain that the change of the Constitution will entirely depend upon the wishes of the Hindus, Mussulmans having no voice in the matter.

To imagine what will happen under the circumstances is simply horrible. As alluded to above, the Nehru Committee in this connection have followed the French precedence and in doing so they have not followed the letters only, but the covert purpose also. It is a commonly known fact of history that the framers of this French rule of amendment had in view to convert the republic into a Monarchy at the earliest suitable opportunity. Owing to some adverse circumstances the opportunity is beforehand established. The Constitution will change and re-change to satisfy the momentary needs of Hindus. The safeguards provided for the minorities will have no stability at all. They will be trifled with by the Hindus without the least regard of the voices, if any, of the minorities.

### *A Cruel Silence*

The Constitution is mute as to what laws are to be administered in the future Commonwealth—the Legislature-made State laws or the religion-made personal laws of the communities or nationalities composing the Commonwealth. No one is to claim that the personal laws (of different communities) are to be the only laws applicable to India. The state laws are naturally to occupy a great, rather major portion of the legal

code of the land, but at the same time the peoples of India have their special laws which they will not be willing to give up at any cost. The Nehru Constitution, however, does not give any guarantee, nor does it offer the necessary assurance that the people will not be deprived of their personal laws. The freedom of conscience and the permission of performing religious rites, provided for by the safeguards, are no guarantee for the administration of personal laws being permissible under the Commonwealth. In the presence of such eminent lawyers as the Nehru Commitee contained, this silence cannot be taken as an accidental overlook. One is compelled to assume this silence as studied, and as it affects the Mussulmans more than any other community in India, they will not be out of reason if they cannot shake off the belief that they are intended to be the chief prey of this omission. The silence becomes all the more significant when it is seen that the application of their personal law in its entirety and undistorted by the quibbles of non-Muslim judges is one of the chief demands of the Mussulmans. As the importance of this demand and its grounds will be treated at some length in the second section of this pamphlet; the subject need not be discussed here. We have only to remark that silence on such a vital point is sure to raise suspicion and there will be no scarcity of persons who will describe it as nothing short of diabolical.

*A fatal omission*

All these mutual mistrusts, all exertions on one side to popularize the Report, and all counter-exertions on the other side to expose its defects, the sowing of new seeds of dissension between Hindus and Mussulmans, the Mussulmans' feeling the necessity of convening an All-Parties Conference of their own to think over the advisability of sending an ultimatum to the Hindu All-Parties Convention, all these and other perturbations and apprehensions are due to a single omission in the Constitution, that of 'preamble'. Had these learned lawyers deemed it not fit to omit this most necessary portion of any act or constitution, none of these misunderstandings and misgivings about the Constitution would have

taken place, and all would have passed off quiet. Neither the Mussulmans and other minor communities had then reason to oppose the Constitution, nor the Hindu Community would have felt the necessity of spending so much energy to baffle the opposition of the Mussulmans and others.

As a humble 'citizen' of India I beg leave to supply this omission, hoping this will to some extent prove of help to understand the purpose of the Constitution and so check some waste of energy on both sides.

> 'Whereas, Bharatmata has long been defiled by foreign mulich conquerors, first by Mussulmans and then by Christians; matters having now reached to such an intolerable degree that Sudras, by coming in contact with foreign civilizations, have become imprudent enough to question all in all supremacy of the Brahmans; Whereas, at present Mussulmans are hard fighting to mutual destruction, and the Christian power is seriously menaced by Communism and Bolshevism, it is opportune time to purify the Bharatvarsh of the nuisance of accursed Mussulmans, push back the Sudras to their former state of servitude and to ultimately exile the profane Christians to their own devilish land; Whereas to accomplish the annihilation of the Mussalmans, the armed assistance of the Christian power is, for sometime to come, unavoidably necessary, they be retained as mercenaries so long as the annihilation work be not complete, when their services be dispensed with and they be allowed to return peaceably to their own lands and Hindu Raj be completely established in the length and breadth of this ancient and sacred land. So, it is hereby enacted as following—
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> . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

*The net output*

A minute study and penetrating analysis of the Nehru Committee Report from Muslim point of view compulsively leads one to the only conclusion that after the esta-

blishment of the proposed Commonwealth,

Mussulmans will be allowed to live in India on sufferance only, enjoying so much civic and religious indulgences as the Hindus conveniently favour them with. They will have nothing as a right or privilege[1].

To this we have only to say that :

Of all the peoples in India the Muslim and the true Muslim will be the last to submit to such an ignonimous life; and this because he finds the death easier than any other people in India.

Although the writer is under no obligation, nor he is in a position to offer any advice, however well—meant, to his Hindu brethren, still he cannot refrain from a little plain speaking that he has all along been inspired in his criticism of the Report with a constructive and not a destructive motive.

The exposition of defects is meant for taking a more statesmanly and broad-minded step in the future, and not for making the goal constitutionally attainable self-government more distant. The impolitic attitude of the Hindus evading to recognize the right of Mussulmans to become a coherent part of Indian nationality, is detrimental not only to the cause of Mussulmans in particular, but also to the cause of India in general. From the very selfish point of view of the Hindus, it will be far more prudent for them to settle the whole future problem of India by a straightforward triangular arrangement — British, Hindu and Muslim—than to proceed by a zigzag way to by and by lower the political status of the Mussulmans, keep them subdued with the organised armed forces of the

1. In justice to Mr. Hardayal, it should be added that in presenting this ideal of the government, in India, he has proved himself the forerunner of the Nehru Committee, as he has definitely and repeatedly expressed the idea in his various articles from Europe, long before the Nehru Committee was appointed.

British, and to ultimately turn them into the position of a rightless people in India, a source of perpetual discontent and perhaps of danger.

The case of the Muslims is not so complicated as some interested persons make it to appear. It is a very simple one. We have only to know :

> Whether or not the Hindus are going to give us our due and proper share in all the branches of the Government ? If not, there remains nothing to be said further.
>
> If yes, whether or not they are willing to provide for this share by any stipulation in the constitution ?
>
> If not, all will depend on 'make-believe' but 'make believe' has no place in politics.
>
> If yes, whether any future alteration of this stipulation will depend upon Hindus or upon Mussulmans ?
>
> If upon Hindus; the stipulation will be a mere 'grace at-will', with no binding force.
>
> If upon Mussulmans, whether or not they will have the necessary material power to prevent its change against their will ?
>
> If not, the position of Mussulmans will be that of hanger-on, which no-self-respecting community will tolerate.
>
> It yes, all is settled.

The same may be expressed briefly by saying if the Hindus cannot socially become one with the Mussulmans to form a 'genuine nation' in India, can they politically become so ? Mussulmans on their part eagerly desire to form a 'working nationality' in India for all political purposes, and this of itself requires that Mussulmans should be given some solid guarantee that they have not to fear the loss of their basic civic rights under the Commonwealth, that is to say, they will have their due and proper share in all the branches of the government of the country. Any blame for delay in practical

attainment of this ideal of a 'working nationality'—which may eventually lead to 'real nationality'—will lie at the door of those who evade to come to an honourable recognition of the just rights of the Mussulmans.

## (C) THE DELHI PROPOSALS

As promised in the beginning, we now turn to the proposals of the prominent Muslim leaders, propounded on 20th March 1927, at Delhi, and since then known as 'Delhi proposals'. The proposals require to be considered from two different points of view, and to clearly appreciate their true value, it will be advisable to keep these two aspects distinctly separate. Firstly, how they advance the interests of Mussulmans and, secondly, how they were received by the Hindus and specially by the Nehru Committee ?

### (I)

### THE MUSLIM SIDE

The proposals have already been briefly enumerated but to adequately reveal their effects on Muslim interests, they are here reproduced in full, as given in the Nehru Report.

" .........Mussulmans were prepared to agree to joint electorate in all provinces and in the central legislature provided :

(i) Sindh was made into a separate Province.

(ii) The N. W. F. Province and Baluchistan were treated on the same footing as the other provinces.

(iii) In the Punjab and Bengal the proportion of representation was in accord with the population

(iv) In the central legislature Muslim representation was not to be less than one-third.'

Without entering into the question whether or not these 'prominent Muslim leaders' were constitutionally empowered and morally justified to offer to abolish the separate electorate

privilege of Mussalmans, without previously consulting the Muslim public by making the matter their platform of election, or at least sounding the Muslim opinion by any other reliable means, we take the proposals as they stand and see if they can be supported on the ground not of advantageousness but only of propriety or even fairplay to Mussulmans ? The giving up of the separate electorate privilege is stipulated with four provisos and we consider one by one.

### *Separation of Sindh*

(i) The questions of separation of Sindh from Bombay is thrashed out in the Nehru Report itself and we have little to add to it. It is strange that those who were in favour of its separation from Bombay only a few years ago are now opposed to it, and those who were against separation then now vehemently desire it. All India is exercised about this comparatively trivial matter.

The Nehru Committee describes it as being a 'trivial matter' and I take leave to endorse this view fully. The changing side of the Hindus is an evidence by itself that they want to make a humbug of the matter. It is just like their bringing the procession problem against the cow sacrifice problem. There are other parts of India besides Sindh, which are claiming to be formed into separate provinces and a special Chapter (iv) is devoted in the Nehru Report to the consideration of the whole problem. Andhra, Utkal, Karnatak, Kerala, (Hindi speaking area of) Central Provinces, and Sindh are given attention to, and of these Karnatak is unconditionally pronounced as fulfilling all requirements to be formed into a separate province. On geographical, economical, linguistic and above all traditional bases, Sindh has more claims to be formed into a separate province than Karnatak. The matter unquestionably comes under the general problem of redistribution of provinces and its importance from the purely Muslim point of view cannot be such as in order to secure its accomplishment, the whole Muslim community of India should forgo its special privilege of separate election, If we take view of

the problem, this separation of Sindh from Bombay Presidency, while giving a slight advantage to Mussalmans in this newly formed province, is not free from weighty disadvantages in other directions. The Bombay Presidency with Sindh has nearly 20 per cent of Muslim population, but without Sindh it will be left with less than 9 per cent of Muslim population. Seeing the high importance of Bombay, this lowering of Muslim percentage in that Presidency is but a dubious advantage. Anyhow, the separation of Sindh from Bombay will give Mussalmans a majority in province of 32,79,377 souls, which is greater than that of our district, Gorakpur by 12,547 only and much less than many districts in Bengal

*Extension of the Reforms*

(ii) To make the extension of the Reforms to the N. W. F. P. and to Baluchistan, a matter of 'bargaining' is still less supported by any foresight or political wisdom than the problem of Sindh. The holding back of the Reforms these provinces is simply an injustice and the standing of the Hindus in the way of having this injustice removed is a verdict against their own guilty conscience and a warning to those ultrapatriot Muslims who are too simple or too gratified as to trust the destiny of their seventy million co-religionists into the hands of these very Hindus and to play the cat's paw in paralysing the established government and upsetting the already tottering balance held by that government. The Hindus are not to be blamed in the matter as it is natural that they think others like themselves. They apprehend that Mussulmans in these provinces will treat the Hindu minority as the Hindus treat the Muslim minority in the Central Provinces and everywhere else. But it is a shame for Mussalmans to go abegging to the Hindus for the Reforms in these provinces. The matter constitutionally does not rest with the Hindus, nor even with the Assembly. The Assembly has rejected the resolution for extending the Reforms to these Provinces. Had it passed the resolution, the Government would not have been bound to give effect to the resolution, and, if it is so willed, it could do so without the resolution. We should fight and fight to the last for our

just right.

The only hinderances in the way are the military considerations. The cutting off small strip of land from the Punjab was meant no less to give the Punjab the benefit of a regulation province than to free the hands of the Government in its strategical undertaking on a perilous frontier. We should try to show and satisfy the Government that the Reforms will not stand in the way of military requirements. If the military problem can be solved in a satisfactory way, there is no reason why the Government will grudge the extension of the Reforms to these provinces We have only to take the right course.

Any how, as in the case of Sindh, the population affected is not very large. The N. W. F. Province has a total population of 22,51,340 inhabitants while Baluchistan has no more than 4,20,648. Both put together have no greater population than an average district in our provinces.

*Proportionate Representation*

(iii) The demand for representation in Bengal and the Punjab in proportion to population is in fact the correction of the fatal blunder committed, or made to be committed, by Mussalmans in the Lucknow Pact (of 1916). This Pact will remain a lasting evidence of Mussalmans' political bankruptcy or a proof positive of their leaders betraying their cause. These Muslim leaders in their anxiety to gain the goodwill of the Hindus conceded to lower the proportion of Muslim represention in the Councils of those two provinces where Muslims are in majority and in exchange they secured a few more seats in the provinces where Muslims are in minority. This slightly increased quota did the Muslims no good. They remained in minority, and for all practical purposes a negligible minority, in six provinces, while they turned themselves into minority even in those two provinces where they would not have been so. However, the Pact is no longer binding, as the essential condition on which it was based had neither been accepted by the Government nor voluntarily observed by the Hindus. The Pact definitely enjoined that any bill, which was opposed by

three-fourth representatives of any community would be thrown out. The non-fulfilment of this condition made the Pact *ipso facto* void and left Mussalmans free to demand their proportionate shares in the Councils of the Punjab and Bengal. For this equitable readjustment or at the most the correction of a blunder, they need not make any concession or give up any of their existing rights.

*The Balance of Power*

To sum up, none of these proposals contained any demand which Mussalmans could not claim as a right, pure and simple, without entering into a 'bargain' or surrendering any of their existing rights. But, before proceeding to examine the fourth proviso, we have better go through the essential reason underlying all the three above discussed provisos. The central point round which these three provisos revolve is the principle of the 'balance of power'. This balance of power is one of many political terms which are thoughtlessly adopted to express a notion not warranted by their original connotation or correct usage. Without entering into the origin and history of the term, we have only to see what it conveys to layman like the writer, not versed in international jurisprudence. In plain words it signifies that different powers stand in such relation to one another as to possibly obviate the chance of any one power becoming too strong to take an aggressive step against any other. The object to be served by the principle is to avert aggression as far as possible or more simply to keep different powers within their proper bounds. The gist of the principle being external action and not internal, one is at a loss to understand how the principle is intended to serve its purpose in the inter-provincial relations in India. If the Hindus treat the Mussalmans badly in *e g.*, the Central Provinces, what action the Mussalmans of *e.g.*, the N.W.F. Province, are to take to check or correct that maltreatment? They cannot go to war with the Central Provinces, nor they can call to account the representatives of these provinces in the Central Legislatures and in case of no-satisfaction cut off political relations with them and hand them over their

passports. What they can constitutionally do and what is in all possibility meant by this glittering principle, is only this that they meet out the Hindus of their province similar treatment. The truth is that under this silver-coated principle is hidden the bitter principle of 'Relation.' This requires some objective towards which the retaliation be directed on. What will be the objective here? Nothing but the people. So, in practice, this latter principle comes to mean nothing more nor less than holding so many 'hostages' on either side and it is in this nude form of reality that we have to see how the principle will affect the Muslim interests?

The Muslim majority in the Punjab and Bengal is so inconsiderable that even if seats be reserved according to population, this majority will be of little practical avail. The majority cannot also be relied on permanently. In the first named province it is due to some extent to the detachment of the Delhi province from the Punjab. If Delhi be again incorporated with the Punjab and some northern most tracts of the U P. be added with that province, as has several times been suggested in the past, this so much envied majority will vanish by itself. If nothing such occurs and the Punjab be itself divided in two, as is alluded to in some quarters, the Muslim majority will be shut up in the northern corner of the Punjab and Hindus will be given free hand in the southern portion. The case of Bengal is still more precarious The Nehru Committee itself has thrown out the hint that some districts of Orissa and Behar be added to Bengal and thus make an end of Muslim majority in Bengal. The most that can be said to happen in favour of Mussalmans is that the mischief producing forces of either communities will remain neutralized in these provinces.

Of the other three provinces—the N. W. F Province, Baluchistan and Sindh—the total population comes up to 59,51,365, of which 48,36,091 are Muslims and 11,15,274 non-Muslims These six million people are chosen out to hold the 'balance of power' in India. To apply the principle in practice Mussalmans will hold as 'hostages' a little over one million

Hindus, and they will have to give in return over twenty million Mussalmans (of Assam, Behar, Bombay, C. P., Madras, and U.P.) as hostages to Hindus, that is, 20 Mussalmans to 1 Hindu. This can never be credited as a politic step or as an honourable 'bargain' on the part of Muslim leaders. The Hindus of the provinces where Mussulmans will be in majority are economically strong They can very well hold their own in these provinces and they will have at their back the overwhelming majority of Hindus throughout India. Consequently, they have little to fear any ill-treatment at the hands of Mussalmans. Mussalmans by their own nature will never incline to take any harmful proceedings against Hindus but even if they take the wrong course, the Hindus through their wonderful organization, their powerful press, and above all their dominant position in the Central Legislature will have their grievances removed by the Central Government at once. But Mussalmans, having none of these counter-balancing forces at their command, will never succeed in redressing the bad treatment of their co religionists in the provinces where they will be in minority.

In short, if mere number of provinces without anv regard to their relative importance and strength is considered enough to hold the balance between Hindus and Mussalmans, this is a very simple matter. Out of northern districts of Bengal and the Punjab, where Mussalmans have predominant majority, as many new provinces can be carved out as required to equal the number of provinces where Hindus be in majority. This tit-for-tat principle will never solve the tangled question of communal differences. Its only use will be to keep a perpetual internecine war in the land to the utter disadvantage of Mussalmans.

Thus, apart from the question of Hindus accepting these proposals or not, the proposals are injurious to Mussalmans themselves if they are intended to serve the purpose of the 'balance of power.' All the three proposals may be considered on their own merits and they can all well stand on their legs. If Hindus deny these just claims of Mussalmans and Mussal-

mans are anxious to have the 'balance of power' established they can bring the counter proposal to deprive the Central Provinces, Madras and Behar from the benefit of the Reforms, and have similar government established in these provinces as is the lot of the N. W. F. Provinces and Baluchistan. This will be the right course to establish the 'balance of power'.

Now, brushing aside all these considerations of advantage or dis-advantage, expediency of inexpediency, the Mussalmans of the provinces adversely affected by these protocols have every right to enquire of these 'prominent Muslim negotiators of the treaty' who gave them their credentials to treat on behalf of these Mussalmans in such a momentous matter, and had the Hindus come to agree to these protocols, would their actions have made it incumbent upon the Mussalmans of these provinces to passively ratify the treaty and renounce their right of separate election? The truth is that the over-confidence of the leaders in their own power and their contemptuous neglect of the wishes of the people is weakening the belief of the general public in the self-government and it is instinctively impressing upon their minds that their own leaders will prove no less despotic in their actions than the foreign rulers, these leaders are so vehemently denouncing as despots. Perhaps these leaders do not adequately realize that repellent effects are produced by these measures of theirs.

Before ending the discussion, it ought to be added that the criticism does not imply that the Mussalmans of all provinces throughout India would not support them. It is the sacred duty of every Mussalman, of whatever part of India he may be, to give every possible help to his frontier brethren to have their just demands complied with In Don Pacifico debate Lord Palmerston declared in the memorable defence of his policy that 'a British subject, in whatever land he may be, shall feel confident that the watchful eye and the strong arm of England will protect him against injustice and wrong'. But Islam has long before pronounced the principle that 'a true

believer, in whatever land he may be, is part and parcel of the Muslim world.' It was the practical application of this very principle that culminated in the conquest of Sindh and the north-west portion of India by Mohamed bin Kasim. If we, the oppressed and depressed Muslims of India have no strong arm, we will not be slow in extending our weak arm to the help of our brethern of the land first won for, and last forfeited to, Islam, in India But, at the same time, we expect our brethren of these parts of India to nobly refrain from making the matter a 'bargain' and so save us from commiting a suicidial act, affecting twenty millions of Muslims, to achieve an end which can be gained by a more direct and sure method.

*One-third seats in the Central Legislature*

(iv) We now turn to the last proviso that of allotting to the Muslims not less than one-third seats in the Central Legislature. This proviso is as futile as its three antecedants. Of the members elected on purely communal basis there are 30 Mussalmans against 48 Hindus in the present Assembly, that is on the basis which will be the sole ground of elections under the Commonwealth. Mussalmans at present have 65.5 per cent of seats in the Assembly. The proposal by limiting the portion of Mussalmans to one-third, wants them to give up almost half their present strength and the moral loss they will sustain will be far greater than this numerical loss. None of the 'prominent Muslim leaders' had made it out of what practical utility will these one-third seats be to the Muslims? By these one-third seats they will have no influencing voice in any matter, whatever. The only influence they may be expected to exercise theoretically will be to obstruct the alteration of the Constitution, but in practice this will also turn out to be an impossibility, as it can never be actually managed that all Muslim votes without a single exception be solidly thrown on one side only. Even if all the Muslim members be determined to do so, who is to guarantee that at the time of ringing the bell none of them will be in the tea-room or still more possibly the bell itself not be rung just at the time when some

Muslim members be engaged in offering their evening prayer, Supposing that none of these mishaps happen, who is to stand security that at some opportune time this rule of amendment, requiring two-third majority be not itself changed into simple majority? Anyhow, the one-third seats in the Central Legislature will prove of no practical utility to Mussalmans in checking any anti-Muslim bill from being registered in the statute book, nor will they have any reliable control over the alteration of the constitution.

(2)

## THE HINDU SIDE

### *Reception of the Proposals by Hindus*

Leaving aside the pure Muslim view-point we now turn to see how the proposals were received by the Hindus. The Congress Working Committee, the All India—Congress Committee, the Liberal Federation and the Hindu Maha-Sabha, none of them accorded any reception to the proposals in their entirety. They all picked out the abolition of separate electorate and threw the other proposals into the gutter. The Madras Congress (1927) granted only a partial and conditional award to the Mussalmans. The Nehru Committee ruled out even this limited award. The substance of its dictatorial decree may be summed up as following :

(1) The separation of Sindh is stipulated with such financial requirements that they cannot be expected to be fulfilled.

(2) The Punjab and Bengal are allowed no reservation of seats and by the introduction of adult suffrage of both sexes the Muslim majority in these provinces, is turned into minority.

(3) The one-third seats in the Central Legistature is bluntly denied.

The only favour shown in the non opposition to the exten-

sion of the Reforms to the Frontier Province and to Baluchistan and in lieu of this paltry charity Mussalmans are required to :

(1) Give up their separate electorate privilege throughout India.

(2) Lower their strength in the Councils by nearly half and be content with seats in strict proportion to their population in provinces other than Bengal and the Punjab.

(3) Give up this reservation of seats ten years after and make their existence depend entirely on the mercy of the Hindus.

This is nothing short of a blank refusal on the part of the Hindus to accept these proposals and after the authentical pronouncement of this refusal by the Nehru Committee, the proposals can no longer be held binding on Mussalmans. They are now entirely free to take any measure suited to their purpose.

They should take a broad view of the whole situation.

The separation of Sindh from Bombay cannot be long delayed; it is to take place tomorrow if not today.

The Frontier Province and Baluchistan cannot be denied the Reforms to the end of eternity.

The proportion of seats is not a God-made fixity. It will be altered and re-altered as the weight of just claims of Muslims is felt.

But, the separate election privilege if once yielded, is not to return again.

Mussalmans are only to thank their God that the proposals were rejected by the Hindus.

## (D) AN APPEAL TO MUSLIM LEADERS

A short synopsis of Hindu-Muslim political relations for the last fifty years will be given in the second section which will show how the Hindus at various times made a change in their attitude towards Mussalmans and why. Here we have only to note that notwithstanding these changes of attitude, the Hindus have all along kept one fixed and determined purpose in view that of weakening the hold of the British and keeping out the Mussalmans from any share in the government. To checkmate the Muslim claims for adequate representation in the Councils, they managed by remarkable strategies to procure the Lucknow Pact (1916), and thus limited the share of Mussalmans in the Legislative Councils. They have now, similarly, brought some Muslim leaders to pronounce against the separate electorate under the cover of Delhi Proposals, and want to divert attention of the Mussalmans by presenting before them a vest confusion of a constitution. But the signs of the time are on the side that this time Mussalmans will not be so easily misled. The non-acceptance of the Delhi Proposals in its entirety, has freed the hands of Mussalmans. They need not now bother themselves with the justifiability or otherwise of the actions of the framers of these proposals, nor they require to waste time over the advisability or otherwise of the proposals themselves. They have now to concentrate all their energies to the critical situation produced by the publication of a Constitution authoritatively pronouncing to bring to close the existence of Mussalmans as a political people in India. The situation thus created has laid down a heavy responsibility on the shoulders of Muslim leaders. The fate of the Muslim is in balance and with it the prestige of the leaders is also in balance. If these leaders fail in their foresight, integrity and patriotism the cause of the Muslim is lost and the exalted position of the leaders is also to go with it. The Muslim All-Parties Conference to be held at Delhi has taken a very onerous and momentous task on itself and it is the duty of every Mussalman to help it by any suggestion, however meagre and humble to make it a success. It is this sense which compels the writer to present two suggestions

before the Conference. The one requires the proof of our leaders' sincerity and their bowing before the decision of the Muslims in general, while the other necessitates their showing to the world that Muslim demands are not so many stumbling blocks in the way of popular government, they are rather to smooth the way and not to obstruct it.

*The need of a Plebiscite*

First, all our internal political dissension centres round the separate or joint electorate system. It has created a great schism in our political camp Now, at this critical juncture we need not peep into the motives of the adherents of the diverse opinions. Whether those in favour of separate election are narrow-minded, unpatriotic, fond of slavery or something worse; likewise, those opposed to it are over-indulgent to Hindus, ultra-patriots, blind to Muslim interest or something nobler still. These considerations are not to enter our thought. We are to admit both wings as having the welfare of the Muslims at heart. That all important question is which of these wings represent its own views and which represents the view of the Mussalmans *en masse* ? Separate election or joint election, it is the right of the people at large and not a special privilege of a few persons called 'leaders', however elevated and however deft in handling the art of politics. It is the right of the latter rather their duty to create and guide public opinion, but so long as that opinion does not express itself in their favour, they have to act in accordance with the existing opinion, or they will be guilty of the misuse of their position. If only few persons are to rule according to their own whims of 'public weal' and not according to 'public will', there is no reason in the world why those few should be a Maulana, an Agha, a Khawja and a Nawab or a Lala, a Pandit, a Raja or even a Maharaja and a Mahatma and why not a Mr, a Esquire, a Sir, a Lord or (sometime) a St. (John Brodrick) ? All these agitations of the last fifteen years, all these disturbances of the peace of mind of the people and all these violations of the public tranquility have been to acquire a wider and wider share for the people in the government of

the country, and not to displace a law-abiding British bureaucracy by a dictatorial Indian oligarchy.

The turn of events has now produced an occasion to test the good faith of the leaders whether they truly represent the views of the people or they want to utilize the power and right of the people towards their own exaltation. To make their position clear and, in fact, to have the community at their back, the proper and the only right course for the Muslim leaders will be to refer the question of separate and joint electorate to the Mussalmans, *en masse.* The diverse schools can teach and canvass the general Muslim as much as they like, but they are not to deprive them of their just right If there had been a chance of a general election being held before the departure of the Royal Commission from India, the matter would have been settled by making it the deciding issue of the election. But as there will be no general election before the end of the next year, the only course open to know the mind of the people will be to have a plebiscite on the question. No doubt we can not make the necessary arrangements for the plebiscite independently of the government, but if we approach the Government to take the necessary steps to ascertain the views of the Mussalmans, *en masse,* directly by means of a plebiscite on the subject, there is no reason why the Government would not condescend to this request. This will not only put an end to our mutual quarrels but will also prove of help to the Government and to the Royal Commission to correctly and definitely know the real opinion of the Mussalmans about a subject so vital and at the same time so contentious. There is no need of laying stress on the advisability of this proper and straight course of action in order to bring to a close a detrimental controversy and at the same time unquestionably determine what the Muslim public themselves want. But we should be allowed to be a little outspoken on two points and we earnestly hope the leaders to take special notice of these two points.

First, if the All-Parties Conference avoid to take this straight course of having a plebiscite on the separate or joint

election, the addition of the epithet of 'All-Parties' to the Conference will not help it in having its decision on the question being received as an authoritatively pronounced opinion of all Mussalmans, or at least of their majority. Any clique or caucus already existing or newly formed may challenge the finding of the Conference, and pose as itself representing the general Muslim view. The discord will not thus be healed. It will only be augmented.

Secondly, if the matter is put for decision in the Conference, the number on either side will have no effect on the real issue. The party opposed to the plebiscite will stand convicted by its own action, irrespective of its being a majority or a minority within the Conference The verdict of the public will go against it and it will justly be branded as 'imposture', having no mandate from the public to act in their name, nor even the faith in its own creed to undergo an ordeal. This shunning to appeal to the public will by itself be taken as a proof of the view of the opposing party being not supported by the public.

The whole matter is full of gravity and requires a very serious consideration and nice handling.

*The Square and the Circle*

It has already been pointed out in the first page of the pamphlet that Englishmen are not inclined to hear our case but in their own way of thinking and talking. There is nothing strange in it. There are old men who in their passionless homilies to the younger generation forget their own impulsive childhood and burning youth; so, the Englishmen have now lost all recollections of their own days of estate and class representation, their Edward VI, Mary and Elizabeth burning alternately the Catholics and Protestants at stakes, their revolutions and counter—revolution, mostly based on religious belief, their mutually persecutive laws against Protestants, Independents, Non-conformists and Catholics and their forming leagues with the Continental powers on purely religious and dynastic bases. But we are not going to make a

history and in fact need not do so. The violent agitation of the Non-conformists over the Education Bill, reaching almost to a defiance of the Government, is an event of only yesterday. All that we want to impress is that India has not still so far advanced as to overcome its estate, class and above all its religious differences. In India the tolerant spirit of Islam is neither appreciated nor reciprocated. Nevertheless, Islam stands for peace and order and our existing differences are to be mitigated as far as possible. But so long as they exist, they cannot be ignored, as suggested by the Nehru Committee that the best way to deal with them will be to ignore them. If not we, at any rate, the Englishmen should be wiser by their past experiences that these differences cannot so easily and so rapidly be mitigated by the persecution of one community by mutual toleration. Englishmen should help us by the teachings of their own history and still more by those of the Continent of Europe to tread the path to 'Commonwealth', literally so, with as little destructive hostilities as possible. No constitution can work smoothly in India without taking considerations of the conflicting interests. But unfortunately the events have taken such a turn that the responsibility of fitting the square in the circle has come to be thrown upon Mussalmans. The advantage is on the side of the Hindus. Mussalmans being in minority are compelled to show the method how their special demands can be brought in harmony with the now prevalent ideas of the Englishmen of non-sectarian, non-communal constitution.

Upto now it has been the practice of the Mussalmans to present their demands before the Government and to leave to the Government the task of fitting these demands in the general constitution. The Government admitted any of these demands, it designed to grant, in the constitution of the country as a special favour or grace to Mussalmans. We are now going to take the same step towards the Hindus. The obvious purpose of the Muslim All-Parties Conference, so far as can be gathered from the utterances and manifestoes of the Muslim leaders, seems to be to occupy the same position with regard to the Hindus. The Conference is primarily

intended to present the minimum demands of the Mussalmans before the Hindus and to ask them to so remodel the Nehru Constitution as to entertain these demands in it. This attitude, apart from being derogatory to a self-respecting community, can in no way be credited as being politic. Seeing the treatment meted out to the Delhi Proposals it may safely be predicted that the demands are bound to be rejected by the Hindus or at the most made a basis for a series of peace conferences to waste the time and energy of Mussalmans. The amendment—begging policy will do us no good. We should take the right course of preparing and presenting a complete constitution before the Government and the Royal Commission. If our Hindu brethren have, out of courtesy, stepped forward to receive the Commission with a welcome present in the shape of an all-exclusive Hindu Constitution, the demand of our Oriental etiquette is that we should bid the Commission farewell with a departing souvenir in the shape of an all-embracing Muslim Constitution. This constitution should be so modelled as to leave no trace of any communal tint, be based on the universally accepted principles of modern political ideas and supported by the actually working precedents of the vario s states and specially by those of the self-governing Dominions of the British Empire. The special privilege of different nationalities and the bilingual system of the official language in Canada and the South African Union, many electoral rules and the federal system of the Commonwealth of Australia, and above all the separation right allowed to Ulster within the island of Ireland are all in our favour. If the Muslim leaders take the necessary trouble to thoroughly marshall these constitutions, there is no Muslim demand for which a parallel cannot be found in the constitutions of other countries or which cannot be brought in harmony with the most advanced democratic principles of government. What is required is a little labour and tact. As to tact the Nehru Committee itself has given us a lesson how communal questions can be transformed to come in agreement with the modern tendency of non-communal constitution. They wanted to turn the Muslim majority in the Punjab and Bengal

into minority. They invented the adult suffrage and women franchise and thus turned the scale against Mussalmans[1], keeping at the same time abreast with the precepts of the modern time. This universal suffrage is easily understandable by Englishmen and will be agreeably swallowed by the forward section of the British public, not knowing the actual condition of India.

In short, our tinkering and patching policy of this or that constitution will do us no good and we will always be kept in a disadvantageous position. We should take the bold step and present a complete constitution wi'h all our demands properly and accurately fitted in it without any infringement of any of the principles of modern government In a word, we have to show that if the square cannot b- fitted in the circle, the circle will itself be squared

## SECTION IV

## SOME HARMONISING SUGGESTIONS

In the two preceding sections it has been sufficiently made out that Mussalmans do not crave for any grace or favour. What they ask, they ask as their treaty rights and on the basis of international principles of the succession of states, by which definite obligations are laid down on the successor state (i.e. the British Government in India). In this connection it has also been shown that Mussalmans are not to be taken as solely responsible for their backwardness in (English) education or for its undeserved and unfortunate consequences, viz. their paltry share in the government. The responsibility for

1. The Nehru Committee have tried to prove at great pain to them that Mussalmans can secure 60 or even 65 p. c. of seats in the Punjab and Bengal. If they are earnest in their contention, why they do not consent to reserve for us, 55 and 54 p. c. of seats respectively, in the Punjab and Bengal and remove the danger of the Hindus being reduced to 40 or even 35 p c. in the Councils of these provinces ? This is an example of our adversaries dealing with the present day's politics to defeat our just claims.

this state of things lies no less upon the Government than upon Mussalmans and it behoves the Government to make good this disregard of the proper fulfilment of their obligations. (Section II). As to numerical problem, it has been proved on fairly authoritative grounds that 'majority rule' principle has some pre-conditions and those pre-conditions being not found in India, Mussalmans are not bound to acquiesce in the application of this principle in India against their will, nor is the Government justified, if it so wills, to impose this principle of 'majority rule' upon Mussalmans in contravention to all sanctioned view upon the subject. So, in this section we need not repeat every now and then the grounds of Muslim claims. Let it be remembered that what the Mussalmans claim they claim as their right, and that the Indian Mussalmans are an integral 'nationality'—they do not stand in relation of a minority to a majority—and as such they are of necessity bound to keep their identity distinct so long as the Hindus do not make such changes in their social structure as are essential to fuse different 'nationalities' into a 'nation'.

With these two starting points in view, we now take leave to offer some suggestions, which if responded to with the same amicable spirit in which they are preferred, may in all expectations produce a satisfied India and divert to more profitable purposes the energy wasted in the struggle for power between the Englishmen and Indians in the first instance and then in the communal strifes between Hindus and Mussalmans for apportioning among themselves the power so acquired.

*Two Salient Features*

But before proceeding to enunciate the suggestions, it will not be out of place to devote a few lines to two special features as preliminaries. By clearing these two points at the very outset we will not stand in need of referring to them again and again in our future discussion. Firstly, we should definitely ascertain our position with regard to the British Parliament, and as its resultants admit the proper share due to the Eng-

lishmen in the government of the country. Secondly, we should determine the extent and significance of the government for the purposes of these suggestions

*The Power of the British Parliament*

In this world of realities we have to face facts and if we want to cope with them creditably we should face them with no less reasonableness than with patriotism. Whether we like it or give up all our vague talks about natural rights and similar other idealistic conceptions. To speak and write of natural right, human right, inborn and inherent right is quite in harmony with the political sentimentalities of the age and greatly pleasing and appealing to the feelings of the masses, but, on the risk of being blamed as devoid of the sense of honour for the country, I cannot help remarking that the facts cannot be falsified that the Hindus received a fatal blow to their inborn right in the eighth century at the hands of Mohammed bin Qasim and what remained to them of this right they surrendered in the tenth and succeeding centuries to Mahmud and his successors. The Moghals created a national India, but the so-created nationals—Hindus as well as Mussalmans—made their inborn right first questioned at Plassey (1756) and then finally gave it up at Delhi (1858). To regain this lost right by force is out of question We have to submit to inevitables, how much against our wishes. Justly or unjustly, Britain is the mistress of India. We have to receive any elevation in our political status as a grant from the British Parliament, and consequently in these suggestions this sovereign position of the British is taken as accepted.

*The Share of the Englishmen*

Next to this or as a corollary to it, we have to admit that in any consideration of the future reconstruction of Indian Constitution we have always to bear in mind that India being a 'dependency of Great Britain', not Indians alone that but Britishmen as well have interests in the country. We cannot recast the Indian Constitution but by assent of Englishmen, or,

to say the same in a more self-respecting way, by mutual consent of Indians and Englishmen. Whether we acknowledge it or not, the facts remains unaffected that the Englishmen have the lion's share in the Government of India and what is of more consequence is that they do not stand in need of our acknowledgment. They have the necessary physical power to keep what share they like to them. The advantage of this acknowledgement will be on our side. A plain and open-hearted recognition of the share of Englishmen is in fact establishing our own share on a certain basis.

To be brief, the requirement of practical expediency is to give up all talks of our inborn rights etc , and proceed with the frank admission that we have to receive any extension in our political rights from the British Parliament, whether the extension be in the form of a vaguely defineable Dominion status or an entirely undefineable Swaraj. As our next step we should try to persuade the Englishmen to definitely fix their share in the Indian government and thus we shall positively ascertain what will be our own share. As to what will be or ought to be the share of the Englishmen, our better interests require to leave the question entirely untouched in our present discussion and this because we have little or no control over it So long as the Englishmen themselves do not decide to have the matter settled with us we can do no more than admit their right in principle and defer its practical adjustment to the future. Our pressing and momentary need is how the share of the Indians can be so apportioned among different communities of the country that an amicable relation may be established among all the communities, particularly between the two major communities—the Hindus and the Mussalmans —and at the same time any creed, sect or denomination, however small, may not have the least reason to be afraid to lose its identity or to have its particular culture impeded.

### *The Significance of Government*

But, before entering into the discussion we have better to fix also the scope and significance of 'government' for our

present purposes. The conceptions about the duties and functions of the government have of late undergone a complete revolution. In the third quarter of the last century the individualistic principles had a great hold on the ideas of the European statesmen (so far as the internal governments of their own countries were concerned). The state was regarded simply 'as an institution or machine which gives to individuals security for their life, their property, their personal freedom, or at most as an artificial creation designed to raise and promote the welfare and happiness of all individuals or at any rate of the greater number.' Economic, industrial, educational and social schemes, if proffered by government, were laughed at as 'grand-mother legislation.' But the days of *Man vs State* have no past. The state is more and more assuming the grand-motherly character. The drift of the times is to replace the 'legal state', by what the Germans call *poliezstat* (Police State). This change in European ideas is not without its reflections on Asiatics and specially on Indian minds. In India the age of consent is now fixed by the Legislature in contravention of the definite injuction of the Hindu law and against permissible individual right of Muslim law. This widening of the sphere of the government functions has a two-fold difficulty—first, settling the rights of the people against government in general, and then of the different communities in particular. It makes incumbent upon these communities and more so upon minor communities to strive harder and harder to acquire for them such a share in the government as to assure them that their special interests—economic, industrial, educational, social and, above all, religious—will not be impaired at the hands of others. But, on the other side, every item of the present day governmental activities cannot possibly be brought under circumspection for the purpose of allotting every community its due share. This in its turn requires to make the general principles of allotment as much definite as comprehensive, and thus to assure every community that in time of need it will not have to beat an empty bush.

This purpose can best be attained by our reverting to the idea of the government as being primarily limited to rule, that

is to say, we restrict the present discussion to the organs forming the government and do not concern ourselves with the ever-growing functions of those organs. With this idea in view we have to take the main components of government and allot to different communities such shares in every composing part of the government as to produce and maintain a working equilibrium within governmental machinery.

Now, under the universally accepted principle of the separation of powers, government is divided into legislative, executive, and judicial, but the division cannot be claimed as to be entirely free from overlapping each other. The legislative is now-a-days no less executive than legislative, while the interdependence of the executive and the judiciary (and one may add their intermixture in India) has not yet been satisfactorily and successfully got rid of. If I were allowed to coin a word I would divide the government for our present purpose into legislative (meaning thereby deliberative) and 'performative' (including all public functions excepting the legislation). But without disrespecting the accepted division, I ask only so much inulgence as to include in the 'executive' all public services. We have to change the order of importance also. The first importance is to be attached to the legislature, but we have to give first place to the executive and of the executive also, we will put first in rank that part of it which is always kept in the background but is in fact the real power behind the government. It is the army. So our order will be (1) the army, (2) the high executive, (3) the general public services, (4) the legislative—considered as deliberative and administrative—and (5) lastly all functionaries—individual or corporate—wielding statutory power.

*The Army*

Howmuchsoever loudly proclaimed and sanctimoniously pronounced the supremacy of the Civil over the Military, the truth cannot escape detection that the supreme power lies in the army. Seemingly it is not so in normal times, nor is the army itself fond of making wanton shows of its power. It is

also true that politics-mongers have not so easy a task with the army as have with the school-boys. But, if anyhow prevailed upon, there is no constitution which the army cannot disestablish and no constitution which the army cannot establish. Might is right is yet the rule with mortals. The whole history of mankind of whichever country and of whichever age abounds in such records.

*Reflections for Mussalmans*

As the Mussalmans do not so clearly realize the significance of the matter as the Hindus do, and they are concentrating all their energies on one-third seats in the Central Legislature, a few citations will perhaps prove eye-openers for them.

In England the three revolutions within thirty-two years—first from Monarchy to Protectorate (1649), then again to Monarchy (1660) and finally the displacing of a legitimate Monarchy by an outsider (1688) were all made possible because the army desired the first two and was not opposed to the last. The French nation rose as one man against the then existing government (1789), it beheaded its King and Queen, made the nobles run away from the country, and had a new constitution prepared and presented to it every morning. But when the army was once convinced that if it was only to serve this or that faction, why it should not take the power in its own hands, the Empire of Napoleon evolved from the chaos and became a reality. In more recent time Medhat Pasha procured a Constitution for Turkey and established a Parliament (1876). But, the army was not one with him. The Sultan sent the Pasha to exile and put an end to Parliament. Later on, the army changed its mind, the Sultan was deposed and a Constitution was set up. After the debacle in the Great War, the army, inflated by its new successes and cultivating more belief in its own power, abolished the Khilafat, inaugurated a dictatorship and went so far as to force the nation to change its whole social fabric. The Great War was in its highest ferocity, when the Russian army, chagrined at its defeats one after another, was machinated to believe the Civil government responsible for its plight, and it made a clean sweep of the

government of the Czar, established a military regime and finally turned on Mensheviks to give place to Bolsheviks. The recent revolutions of China, Persia and to some extent of Afghanistan all have to tell the same tale.

But, in fact, we do not stand in need of turning the pages of history or of peeping into the doings of this or that nation to understand the importance of the army. Our own country furnished us with all that is wanted in this respect. The military policy of the Government of India, the relative importance of the military races of India, the Hindus straining every nerve to imbibe their youths with martial spirit, all are warnings to Mussalmans to think where they stand ?

As to the policy of the Government, we have not much to say. The question of giving some share to the Indians in the government of the country is a very old one. More than a century ago Sir Thomas Munro in a letter (June 30th 1821) wrote to the Rt. Hon. G. Canning that 'all that we can give them (*i.e.* Indians) without endangering our own ascendency should be given. Our real military system, but also the military budget is persistently kept beyond the touch of the Legislature, and the course of events dictate that the power to pass Military Bill year by year will be the last conferred upon Indian Legislature.'

As to the relative importance of the military races of India we have the Sikhs and the Gurkhas before us. The Sikhs are a small community in India. No doubt, they are well organized, but the Indian Christians who are more by two thirds than the Sikhs are still better organized. It is not their organization, but their position in the army, which gives them their weight. It is no mere guess, it is a fact. Lord Kitchener was Commander-in Chief, when the proposed Punjab Canal Bill caused to produce an agitation in the people of the Punjab, in general, and among the Sikhs, in particular. But the agitation could not bring the Government to give up its proposal. It was the warning or the C-in-C that the proposed legislation was producing an irritation among the Sikhs of the army that made the government bow. The case of the Gurkhas is not

different. There are over three hundred states in India small and large, backward and enlightened, submissive and arrogant, but none of them receive that special attention of the Government which Nepal enjoys. The reason is not to be sought in the archives of foreign office; the reason lies in the enormous recruits supplying power of Nepal and its willingness to do so Our own city, Gorakhpur, is the centre of this recruitment and we all know by our daily experiences the influence and position of the Gurkhas.

The last but not the least we should give a very thoughtful consideration to the policy our Hindu brethren are pursuing in the matter. They did not flinch from sacrificing the Hindu-Muslim unity at the altar of the War God to turn the whole Hindu community into a military camp. The cordial relations of Hindus and Mussalmans, so eagerly sought for and so costly acquired, were at their best when the news of the phenomenal successes of the Turks reached the Congress Camp. It fired the brain of Pandit Madan Mohan Malviya. This sceptically wary devotee of Hindu supremacy was filled with an imaginary fear that if the defeated, rather vanquished, Turks can rally and turn against their conquerors and deal so badly with the pet of all Europe (Greece) with British and French armies on both sides of the Dardenelles, why may not the discomfitted and disspirited Mussalmans of India one day organize themselves in a body and make their weight felt under the 'Swaraj'. That fear stimulated the shrewd Brahman who kicked off all ideas of Hindu-Muslim unity and then and there laid foundation of the Sanghtan to turn the Hindus into a militarized nation. With what vigorous strides and with what ravaging sequences to Mussalmans the mission is progressing needs no comment All that I want to impress upon my co-religionists is only so much that if they show the same sluggishness in this connection as they have shown in the matter of English education, they should be ready to surrender themselves to the Hindu Maha Sabha

It has been noted under 'fundamental rights' that Mussalmans can never be satisfied with paper safeguards; they

want guarantee, sound as well as solid. This can in no way be provided for but by giving us an effective share in the army. Paper safeguards cannot stand security against our rising one morning to hear that last night the (Gandhi) Republic has gone to visit her Aryan sister to the Hellenic Hades and has left behind the club-wielder Monje to wield the scepter of government after his own manner—autocratically or constitutionally. This is not a mere possibility but a high probability reaching almost to certainty, at least there is the gravest danger of it, that with both the civil and military branches of the government being predominently Hindu, the popular government will not last long in India.

The whole history of pre-Muslim India bears testimony to the fact that under Hindu domain no community excepting themselves have ever enjoyed any civil rights and the only conclusion that can safely be drawn is that all that occurred after the overthrow of Buddhism in India will repeat itself and this time with more rigid and systematic persecution. The Hindu polity, so far as can be gathered from the scanty historical materials of ancient India, knows nothing of 'co-ordinate' elements within the state, that is to say, it neither knows how to deal with other communities on equal terms, nor has it any experience of how to equitably treat the subject races except to turn them into the position of Sudras *i.e.* rightless people. In plain words, the Hindus have nothing to show in their past that they know how to tolerate non-Hindu elements within their domain, if not as co-ordinate, at least on a subordinate, but satisfactory, basis of civic rights. What is to be regretted more is that the recent 'renaissance' of the Hindus is leading them more and more towards their ancient conceptions of government to enthral the non-Hindu communities.

To make the point obviously intelligible we should clearly discriminate between amendments of the constitutions called for by experience to expedite the working of government or to adapt the constitution to altered situation, progressive or

retardative, and the change of the form of the state Though in the strict legal sense there is nothing against it, yet the change of the form of the state is not a matter of an ordinary amendment. No one is to deny the right of a sovereign people to convert their state from one form to another. Since the Great War more than half a dozen states have undergone radical changes in their forms, violent and peaceful. Of the two autocratic empires of Europe, one (Turkey) is now (nominally) a republic, while the other (Russia) professes to be communistic. The militant Dutchland is now a docile and polite democracy. On the other hand, the genial Italy is now a bellicose dictatorship France is not yet clean of Monarchists. The people of America also occasionally enjoy in chats of monarchism and at one time Mr Roosevelt was mentioned in some circles as a fit personality for the dignity.

In short, the Aristotelian cycle has always been in revolve and will always be so, but the revolving of the cycle has not at all times and at all places been smooth, and it will not be so in India in practicular. The special drawback in the way of India is that if the matter be left without adequate safeguards to the *vox populi*, it will not be the voice of the people. It will be the voice of a section of the people only and what will be the worse it will always be the voice of that one section only. Still worse the voice will echo not the political but religious difference. The one, that is, the inherent sovereign power of the two major communities, which almost mean the whole India, be so equitably balanced as to prevent the change of the form of the state without the assent, or at least not against the will, of either community. The only weight to equalize this balance is the army.

Now, for our practical purpose the situation at present resolves itself as follows :

1. Hindus form three-fourth of the population of the country. If the regulating hands of the British be removed, and the Hindus adopt the domineering policy, as there is every sign of their doing so, they can crush the Mussalmans

by mere weight of number, and this they are already vigorously practising everywhere, under different pretensions.

2. With this weight of population, Hindus are to have majority and very large majority in the Legislature that is, the civil government will be greatly dominated by them

3. If along with these two preponderant advantages the Hindus were to form the major portion of the army also, no constitution could be relied upon to last one minute longer than the wishes, however whimsical and unreasonable, of the Hindu populace. Nor could there be any safeguard for minorities, however assuringly and definitely stipulated by statutory provisions, which cannot be altered or altogether negatived by the Hindus.

This state of things is bound to produce a precarious situation and a perpetual feeling of unsafety among Mussalmans and other minor communities.

*The Place of Army in Politics*

Here lies the rock of danger, and if we wish to steer clear of this rock we have first of all to settle the question of army. For this purpose we have to face some hard truths and admit them as our first axioms.

1. The army though constitutionally subservient to the civil government, at times may indulge in taking exceptions to this rule.

2. To keep the army entirely outside the pale of politics requires a very high degree of political training of the general public, which will be wanting for a very long time in India after the establishment of the commonwealth. The recent Turkish, Russian, Persian and Chinese revolutions all warm us against making this a matter of elaboration for jurists and lawyers. Even the foremost European nations have not yet been able to completely shake off this relic of the past.

3. The control of the Civil over the Military is through officers and not direct over the ranks and files. But the officers

can not be kept out of touch from the party politics To cultivate in them the high grade of self-restraint to hold aloof from the game of politics is not easy of achievement. We ought not to lo e sight of the difference between a long established foreign (British) discipline and a newly acquired native discipline It requires much time and great training to make a H ndenburg or a Lundendroff presidents of a newly established republic without endangering the supremacy of the civil government.

*The Determining Factors*

The danger can only be averted by fixing the governing equilibrium with the army in the balance. We cannot keep out the soldier from our government house. But before starting to definitely set the equilibrium we have to take notice of three determining considerations.

1. The strength of the army has in no time and no country been regulated by proportionate representation.

2. In India the British Government has never admitted any proportionate representation system in the army, and what is of more consequence no objection has ever been raised to this practice.

3. The only consideration in recruiting and officering the army is the martial spirit of the races and along with it their inclination to serve in the army

With these preliminaries in view, we have to solve the army question in such a way that the change of the form of the state be not left entirely to the will of only one section of the people to the detriment of other sections It has been stated before and the statement may be supported by declaratory and circumstantial evidences that the army will be the last subject to be transferred to the control of Indians; so if not for any other reason, for this very reason we Indians ought to proceed in the matter in such a way as not to make the already distant goal further distant by our mutual differences. To keep the army out of politics can only be made possible by excluding

the whole question of the recruiting and the officering of the army from the field of communal and racial controversy. This can best be achieved by definitely fixing the share of each community in the army.

Taking all the circumstances into consideration our own proposal, in the interest of the country in general and of the warring communities in particular is as follows :

The army be first divided into two commands, corps or divisions (whatever be the technical expression) (A) The Army of Occupation, but as this term has a disparaging sense fo Indians, the same may be expressed by the Army of Exterior Defence or simply the Army of Defence or by some other suitable name, and (B) the territorials, Militia or the Army of Internal Peace and Order of, (A) the British Army and (B) the Indian Army.

(A) (i) The British Army be left entirely under control of the British Government, and be formed of whatever nationalities and in whichever proportion of various nationalities the British Government thinks fit. (ii) India to supply the necessary sum for its maintenance. This sum to be agreed upon for a fixed term and revised at the expiration of every them. (iii) The strength of this army be lowered by degrees under a definite programme, so as to bring it to its lowest strength as early as can be managed without endangering the defence of the country, and to finally abolish it when it can safely be done so What will be the strength of this army and what will be the time required to reach the final stage of dispensing with its services, are not questions of our setting. The Government itself is to decide the question. All that can be said is that for the present and for some time to come, this army will cover almost the whole armed forces of India.

(B) The Indian Army whenever it be created and whatever be its strength at the outset (i) be entirely under control of the Indian Legislature and (ii) continue increasing in strength in proportion to the strength of the British Army be lowered. It will be this Indian Army which we are concer-

ned with. Our claim is that this army be composed from the very beginning of two Muslim units for one non-Muslim unit and this ratio be permanently kept.

This strength of the Muslims in the army will be a solid guarantee against any haphazardous change of the form of government and will give an assurance to the Muslims, that the representative or popular government will remain a government of the people, for the people and by the people, and that the present agitation for the popular government will not be made to serve as a mere strategy to encircle the power of the British and by gradual tightening of the circle to make the British capitulate and then to establish a despotic Hindu Raj with Muslims either to abandon their country. As to the Hindus they have nothing to apprehend from this double strength of the Muslims in the army. Hindus being three-fourth of the population of the country with dominant power in the Legislatures will more than counter-balance the strength of the Muslims in the army. For their satisfaction the Hindus have the example of China before them. There the strength of Mussalmans in the army is far above their proportion in the population, and the faithful services the Chinese Mussalmans have rendered to the cause of their country since the time of Boxer rising to the present day of national liberation are a proof of the patriotic characteristics of the Mussalmans and a lesson to our Hindu brethren that placing trust in Mussalmans is productive of better results than the want of it.

I can not end the discussion without a passing remark about the effect of this scheme on our external relations. It is no secret that the Indian Mussalmans are anxious to see adjoining Muslim countries free and independent and they will never concede to the resources of India and its army being utilized to subjugate these Muslim countries. With the Muslims two-third in the army the fear will of itself be dispelled that any unjust aggressive war can be machinated against these countries. On the other hand, a happy and contented Muslim India will be a bulwark against external aggression as well as

a warning to the neighbouring countries to cultivate only cordial relation with India.

Whether the connecting link between the civil and military branches of the government will all be united or separated, the general staff will be the same for the whole India or different parts of the army and lastly the newly invented Committee of Defence will all sit together or in various branches, these and similar other questions are problems for experts and have little to do with our basic principle of the quota of different communities in the army.

It need hardly be added that throughout this discussion the army is taken to mean all Armies—land, sea and air.

Now, leaving aside the question of the army, we have to turn to the civil branches of the Government, but these branches are not to detain us long. The somewhat lengthy treatment of the army question was due to its being generally left out as sacrosanct or as 'untouchable' and also because Mussalmans are losing all sense of the importance of the army, in proportion the Hindus are awakening to it. But such is not the case with the civil branches of the Government. Their importance, rather undue importance, is felt all round. They are the hot pot of controversy everywhere and as such the reasons and counter-reasons for the claims of Muslims in these branches of the Government are dealt with in the previous sections. We need not repeat them here. Similarly the grounds for Muslim claims for separate electorate and their proportion of representation in provincial and central legislatures are given in the last two sections. So in this section the suggestions only are presented with as brief reference to reasons and ground as possible.

*The Higher Executive*

The higher executive is generally regarded to consist of the head of the government and his immediate subordinates or colleagues in charge of several departments of the government. Under the present constitution of India, this

means, for the Central Government, the Governor-General and the ordinary members of his Council while in Provincial Governments, the Governors, the members of the Executive Councils and the ministers As to Governor-General and the Governors it may decidedly be presumed that for a considerable time to come they will all be Britishmen and if an exception is rarely allowed, it may not be without weighty reason and without duly weighing all the pros and cons of the case. So, from purely Indian point of view, there is no need of saying anything about these first posts in the realm. All that we can do is to present these dignitaries with welcome and farewell addresses and give them no trouble by our mutual conflicts, in their onerous duties of keeping peace and order in India. We have to concentrate our attention on the Ordinary Council of the Governor-General and the Executive Councils and Ministries of the provinces. Though nominally the members of the Executive Councils, Central and Provincial, as well as the ministers are chosen by the heads of several governments, yet the deciding factor of the choice is not the same in both the cases. The one is appointment, pure and simple, on grounds of public expediency, while the other is dictated by the position of the parties in several legislatures.

As to the first, there remains nothing new to be added to what the Mussalmans have been pressing upon the Government from the very beginning that in the posts allotted to Indians, Muslims and non-Muslims be given equal share as far as possible. The only reason advanced against this demand was that this will require to raise the number of Executive Councillors from one to two, but the drawback no longer exists as the number is raised to three in the Council of the Governor-General and in many provinces the Indian Executive Councillors are more than one. We admit that no hard and fast rule can be adopted, but a working practice can safely be established.

For more than a decade there have been two Hindu members in the Ordinary Council of the Governor-General, while Muslim members has all along been only one. If our Indians

cannot conveniently be taken in this Council, there is nothing against appointing alternately two Hindus and two Muslim members in this Council But, the case of the Provincial Executive Councils, as at present constituted, is not so simple. The whole administration being divided into reserved and transferred, the number of the Executive Councillors is narrowed down to not more than two in some provinces, and at the same time, the keeping of the European element being essential, only one seat can be provided for Indians—either Hindu or Muslim. This one seat can alternately be filled in by members of each community. But to keep the equilibrium at all times ministry should be taken into account. That is to say, for this purpose the reserved and the transferred departments be considered as one and Europeans excluded, the high Executives be as many Muslims as non-Muslims. An ex-Governor of our provinces has set an example how to successfully solve the problem to the satisfaction of all parties and the Government of Bombay has also followed the lead to some extent. But the actions of the C.P. Government have been greatly disappointing. All that we require is that the matter be not left entirely to the inclination or disinclination of individual authorities. One uniform practice be observed throughout India.

The knotty question of the problem is the choice of the ministers. Under the all-prevailing British system, the strength of the parties within the legislatures will have much to do with the choice, but under the present constitution, Muslims neither have, nor will have, majority in any legislature If no discretion is to be allowed in the matter, Mussalmans ought to be plainly told that they are to have no place in the Government and it will be a happy day for us when the British Government, like the Hindus, formally inform us of this decision. But our misfortune is that the practical sagacity of the British nation does not, and in all probability will not allow them to do so. We are, therefore compelled to see whether the communal consideration can be taken into account or not? The Governor of Bengal has firmly decided that it not only might be taken but must be taken into account and happily for

us not in favour to Mussalmans but in favour to Hindus. The accident of Sir Abdur Rahim's three days' ministry has positively established that communal basis enters the formation of ministries. Our only contention is that it should not always be against the Muslims, but sometime for the Muslims also.

To be brief, our humble and sincere suggestion in the matter is that 'to the extent the Indians are admitted into higher Executive of the country Central and Provincial, to that extent Muslims and non-Muslims be placed on equal footing.'

Though I have proposed to omit argumentative side of the suggestions, yet I can not refrain from noting here a simple fact, that the remunerations of the high executives (and truly of all public services) are not based on proportionate taxation. If it had been so, a Sikh could not have been made a member of the Council of the Secretary of State, nor could have a Parsee officiated in the Council of the Governor-General. As to communal consideration it has two sides—either these high dignitaries are guided in their actions by communal prejudices or not. If they are so guided Mussalmans have every reason to ersist in their demand that their interests be not jeopardized by the predominance of their adversaries and the whole situation be so arranged as to counter-balance the evils of either sides. On the other hand, if these dignitaries are not guided by communal prejudices (and with very rare exception they are, in fact, not so) the Hindus have no reason to raise objection to Muslims being equally placed in the Executive Councils and Ministries. The truth is, and it is alluded to before, that these high posts in the Government, have a moral and political effect on the status of different communities within the Government and this status will be the last, the Mussalmans will be made to surrender without being forcibly subdued.

The discussion cannot properly be finished without adding that the secretariat is in no way disconnected with the head of department—reserved or transferred. The secretariat already

wields great latent influence. The bewailing complaint of the President of the Legislative Assembly the other day is a conclusive proof of the value of co operation or non-co-operation of the secretariat with the head of a department With the increase of council rule and with the birds of passage as chiefs of departments, the importance and influence of the secretariat will go on increasing. If the secretariat be dominated by one community only, the minister of the other community is sure to be confronted with unsurmountable difficulties in pushing on his scheme. The difficulty is already felt and subdued complaints every now and then fall out from the lips of this or that minister. The significance of the matter cannot be overlooked and we will be justified in suggesting that, so far as the Indians are concerned, the secretariat be composed of equal proportion of Muslim and non Muslim elements.

*The General Public Services*

For the sake of perspicuousness, we have better divide the general public services into (1) those which form the essential parts of every government, worth its name, of every age and every country and as such have been in existence since the advent of the English rule in India, and (2) those which are newly established or recently expanded due to the widening of governmental activities or to fulfil the requirements of advancing civilisations. The main heads falling under the first category are magistracy, judiciary, police and revenue, while the second covers public works, railway, telegraph, post, medical, excise, forest, irrigation, and a host of other services. The educational service should be given a special place by itself for reasons to be shown later.

The claims of Mussalmans for their share in these two different kinds of services are founded on two different sets of principles and grounds. As to the first the Mussalmans think, and think on reasonable basis, that they are the sole claimants and ought to be the sole occupants of these services. Any share in these services given to non-Muslims is so much share robbed from the just rights of Mussalmans. The story is

long to be narrated here, but the moral is that the British Government in India as successor to the Moghal Empire was bound to keep the obligations of the extinct state both on the ground of international principle governing a successor state and on the basis of definite obligations laid upon the East India Company by imperial firmans and by treaties But aside from the binding force of these firmans and treaties what is most on our side is that the British Government for a very long time faithfully stuck to those obligations and the unbroken usage for nearly a century (1757-1857) produced a satisfaction, rather conviction, among Mussalmans that the policy was a permanently established one. But Mussalmans were of a sudden hit between wind and water. After 1858, the Government abruptly changed its policy and the Hindus took full advantage of it But this diversion from the long established rule cannot put that the claims of Muslims be dismissed as time barred. These reverses are but trifles in the histories of nations Under early Hanover kings the thirty years continuous rule of the Whigs in England had produced a feeling of certainty among the Whigs and a corresponding feeling of despondency among the Tories that the Whig rule was to continue for ever. But the cycle revolved. Whigs were turned down and the Tories rose to power. The Germans occupied Alsace-Loraine for seventy years, but this long occupation did them no good when the French were enabled to support their right by might.

We know that our Hindu brethren will characterize this basis of argumentation as an antiquarian excavation But they should rest assured that we can meet them with the modern-most argumentation as well. The space does not allow to enter into detailed discussion of the subject here. We have only to tell them that the government is but a part of the body politic and any change in one portion of this body politic necessitates corresponding changes in other portions.

If the Hindus want to curtail the share of Mussalmans in the government services, they are to provide for them in other

branches of the body politic, otherwise Mussalmans will be cast out of the body politic and this in plain words means that they will not remain part of Indian nationality. This outcasting of 25 p c of a non-Hindu population as outcaste may have been a credit for the Vedant Age, but cannot be tolerated in this socialistic age.

In short, to deprive the Mussalmans of their long established place in the government without providing for them in other ways is a contravention of all principles of justice and fair play. We do not ask for any favour in this connection, we only want to put a limit to the extent of our being deprived of our just place in the government.

As to the second category of the services we frankly admit that we have no special customary or traditionary rights to them. These services may in all fairness be apportioned in accordance with population.

Now taking both the classes of the services together, the crying need of the peace and progress of India is that, so far as the governmental organs are concerned, the bone of contention should be removed once for all and the claims of warring communities be definitely and permanently settled. Our own suggestions in the matter are as follows:

1. In the Executive branch of the government the position of Muslims and non-Muslims be kept equalized.

2. In the police service, Mussalmans to have two-third places.

3. In all other services, which put together greatly outweigh the first two, the Muslims be asked to be content with one-third places

*Note*: As the secretariat, so the clerical staff be subject to the proportion the different communities enjoy in higher services.

### The Gain and Loss

It will seem a little novel but the demand of reason, and of expediency also, is that this proportion be made uniformly applicable throughout India and this because the lesser the population of Muslims or Hindus in any part of India, the greater their need to have their existence felt, their position secured and their diffidence removed, by giving them a perceptibly adequate share in the government. But, apart from these abstract considerations, let us see what will actually be the gain and loss to Hindus and Mussalmans under this scheme. The requirement of space does not permit to discuss the problem in a detailed way, supported by facts and figures. Brief reference is only made.

### To Hindus

By allotting to Mussalmans one-half of the executive services, two-third of the police and only one-third into all others, the Hindus will still possess by far the greater portion of government services. In strict monetary terms Mussalmans will not get more than they fairly deserve. We expostulate with the Hindus to think of the situation rightly. The class of population which traditionally and professionally depends upon government services for its livelihood is much greater among Mussalmans than among Hindus and it is this class which is to be taken account of in this connection. The population wrongly represented as Hindu ought not to be allowed to turn the scale against Mussalmans, nor should it unfairly be pressed that the high-caste Hindus, who practically monopolize the government services, are as such representatives to the low-caste-Hindus, who have nothing to do, with government services. Anyhow, the Hindus will not be losers by this scheme.

### To Mussalmans

As to the Mussalmans they should be a little cool-headed and sagacious in the matter. From every point of view they have the right to more share in the government services than

is suggested to be assigned to them in this scheme. But they ought to be thankful to their own negligence that they let the chance slip and did not press their right in time. They now should submit themselves to relentness inevitable and be content with what they can get. The scheme presented affects the Mussalmans of the Punjab and Bengal. They have to think that as the situation stands they will not perhaps fare better than under this scheme. However, they will have to make some sacrifice. Whether, to benefit their co-religionists in other parts of India, they will be willing to do so or not, depends entirely upon them.

We have reserved the educational service to be referred to in the end Here, the services themselves are not concerned. What counts is the education itself. In this connection our suggestions do not differ in the least from what the Muslim leaders have been pressing for a very long time. They are as following—

1. For elementary education every community to have its separate establishment and for Mussalmans Urdu be made the language of instruction throughout India.

2. The secondary and collegiate education a proportion to be fixed for Muslim students.

3. The sum appropriated for Muslim education be in accordance with the need of the community and not only in strict proportion to their population.

As to the services the same proportion be reserved for Mussalmans as in other services.

*The Legislature*

The comments on Nehru Legislature have amply revealed what the Mussalmans do not want and why ? It now remains to be shown what they want and why ? The answer to why is too wide to be circumscribed within a few lines or even in two or three pages. The whole subject is fully dealt with in the second section of the pamphlet. Here we propose to answer only the 'what' and that also in a very brief way. For this

purpose we have to discriminate between the two characteristics of modern legislatures—the legislative and the executive or administrative.

(A) As to the purely legislative, Mussalmans require and do not single themselves out in the requirement, that the Mussalmans as well as every other community, however large or however small, should have sole control of the legislation particularly affecting their religious or communal interests. For the successful achievement of this purpose we have to propose that :

(1) Under the prevailing conditions of India, the happiest, the safest and the all-satisfying course that can be taken in this connection is to establish separate communal councils for Muslims and non-Muslims.

(2) If this straight course be repugnant to the Hindus, the next step that can be taken is to adopt a system of separate voting in matters relating to special communal interests. This in practice will come to mean separate chambers for special purposes. In countries having two chambers, for some purpose or other joint sessions are held and the Nehru Constitution also provides for this in case of amendments of the constitution. But in the bicameral system, separate sessions are the rule and joint session the exception, our suggestion is that under the present circumstances of India, joint sessions be the rule and separate sessions the exception.

(3) If the Hindus decide to be unjust even to this just course, the last resort is that no bill affecting the special interests of any community be allowed to be brought in any Legislature—provincial or central—which be opposed by the majority of the representatives of the affected community in the Legislature.

In short, our suggestion is that legislations affecting any community be entirely under control of that community, other

communities having no deciding voice in the matter.

The method proposed will in no way promote communalism, it will rather promote nationalism. When the Legislatures, as a whole, will have no power over religious and communal matters, these matters will be themselves by and by fall out of the sphere of politics and it will require no long time to free politics of religionism and communalism.

(B) So far as the law-making side of the Councils is concerned, different communities being well satisfied that their special interests will not suffer at the hands of other communities, the number of their representatives, though highly essential, is not a matter of so very disquieting consequences It is the executive side of the Councils that is the cause of so much uneasiness to minor communities and specially to Mussalmans. Every act significant or insignificant—of the Executive—high or low—is subject to criticism in the 'Legislature'. The result is that the executives have to form their policy in conformity with, and are to be guided in their actions in subservience to, the Legislatures. Mussalmans are bearing the brunt of this double headed monster every day and everywhere. It is to check or at least to mitigate, the one-sided influence of the Legislature over the Executive that effective representation is so fervently demanded by Mussalmans and so uncompromisingly opposed by Hindus.

Without entering into the controversy of the numerical basis of representation (which is fully dealt with in section iii) we have to suggest that :

In all the Legislatures—central or provincial—the minor of the two major communities—whether Hindu or Mussalman —be provided with at least one-third seats.

This will in no way affect the position of major community —Hindu or Muslim. They will still remain in majority and to all intents and purposes a considerable, rather dominating, majority. The only good occurring to the minor community—Muslim or Hindu—will be to enable them to have their voice

heard distinctly in matters other than legislative.

But it should all along be borne in mind that Mussalmans are not going to make this ratio of representation a matter of bargain. They will not concede to lower their majorities in the Punjab and Bengal at any cost. They will rather accept the strict proportionate representation in provinces where they are in minority and give the same privilege to Hindus where they are in minority, than to submit their slightly advantageous position in the Punjab and Bengal. The reason is self-evident. The Hindus by giving us a few more seats in provinces where we are in minority, do not lose their majority, while we by giving Hindus more seats in the Punjab and Bengal are turned into minority.

It ought to be added that the minimum of one-third seats proposed for Mussalmans in the Central Legislature is conditional on the amendment of the Constitution being subject to not less than two thirds majority, that is to say, Mussalmans are to have such proportion in the Central Legislature as, leaving a small margin, they may be able to check any amendment of the Constitution against their interest. Mussalmans will never agree to any rule of amendment of the Constitution which deprives them of having an effective voice in the matter. If the British system of simple majority be adopted in this connection, Mussalmans will not hesitate in demanding half the seats in the Central Legislature or to have a separate Chamber of their own to pass the amendments separately, or to have separate referendum or some such other measure. We want to impress upon our Hindu brethren that they should not take the matter lightly.

As to separate or joint electorate, there is no need of adding to what had been said before. The disadvantages to Mussalmans under joint electorate have been convincingly shown in the comments on the Nehru Constitution, while the fairness and justice of separate electorate have been fully discussed in the preceding sections. Here we have only to add that the Hindus moving heaven and earth to do away

with this universally demanded right of Mussalmans is an insult to the whole Muslim community and their hostile action can never bring the Mussalmans to give up their right. If it can do anything it will only harden the Mussalmans in their demand. The best course for the Hindus will be to leave the matter to Mussalmans and do not make the case worse by an opposition undeserved and open to suspicion. Anyhow Mussalmans are for separate electorate and will not give it up so long as the Hindu mentality does not change to think nationally and not only communally.

*Other Statutory Functionaries*

Here the question is more of principle than of practice. The British Government, being a unitary government, the ultimate source of all power lies in the British Parliament and as such it is responsible for any violation of Muslim rights caused by an all-embracing decree of the most venerable 'Statute' or by a meek by-law of a very petty committee of a 'Notified Area', or by a very meagre award of a still humble 'Village Panchayat'. The bodies wielding statutory power e g., district boards, municipal boards, universities—are not self-made self-governing bodies. The authority which has made them self-government can also make them well-behaved so that they do not violate the rights of the minorities. So long as these bodies depend upon Government's protection and assistance in situations where their powers are defied, so long the Muslims will hold the ultimate authority responsible for any disregard of their rights by these bodies. When government takes off all statutory protection from these bodies, Mussalmans will not trouble the government in the matter; they will themselves safeguard their rights, to the best of their means, in these bodies. But if Mussalmans refuse to pay the taxes imposed by a municipal board, and the whole armed forces of the British Empire be moved to make them pay the taxes; Mussalmans can, in all justification, claim that the Government is bound to safeguard the interests of Muslims in these bodies. The plea of self-government cannot hold good.

In this connection our suggestions are same as those with regard to the Legislative Councils, that is, matters affecting any community be under the sole control of the representatives of that community, and the number of the representatives of the minor community—Muslim or Hindu—be statutorily fixed and that in such proportion as to give these representatives an adequate influence in the management of these bodies—district boards, municipal boards, universities or any such other corporate body.

As to individual functionaries wielding statutory power outside the regular government service, who are almost all honorary workers, we have only to say that the predominance of any one community adversely affects the status of other communities and this should positively be avoided

*The Summary*

Though there is no need of giving a summary of the suggestions, yet to facilitate reference it is added here.

(1) To insure the stability of the form of the State, the counter-balancing of different forces is essential and so to counter-weigh the triple population of Hindus and their double representation in the Legislatures, the double strength of Muslims in the army is a necessity.

(2) To equalize the moral forces of the two major communities within the government, the higher executives (Englishmen being excluded) to be as much Muslims as non-Muslims.

(3) To not allow any community to take undue political advantage of public services, and make good the loss unjustly inflicted upon Mussalmans in this connection, Mussalmans to be allotted one-half of the executive, two-third of the police, and one-third of all other services.

(4) (*a*) To keep religion and communalism outside of politics, these subjects be excluded from the range of Legislatures and this by confining the decisions on these subjects within the representatives of several communities, which in the

practice will come to mean that no bill affecting the particular interests of any community be allowed to be discussed in, or passed by, any Legislature against the will of the representatives of the communities concerned.

(*b*) To adequately guard general interests of different communities, the minor community—Hindu or Muslim—to be provided for with at least one-third seats in all Legislatures central or provincial. The proportion is conditional on the amendment of the Constitution being subject to not less than two-third majority.

(5) In all statutorily created bodies the rules of representations and employments be the same as, respectively, in the Legislatures and Government services.

*Sine qua non*

We have given above a summary of our suggestions in as general terms as we can. We have not tried to formulate these suggestions into principles, but they can all be turned into general principles. They are not 'reservations', they are rights of a people—a people whose difference from Hindus 'is not a mere difference of articles of religious faith or dogma. It is a difference in life, in tradition, in history, in all the social things as well as in articles of belief, that constitute a community.[1] But, as indicated before and that repeatedly, the suggestions are inspired by an earnest desire to mitigate the differences and create an amicable relation among various, communities of India and thus to ultimately fuse them into a nation. We hope they will be taken by the Hindus in the same open-hearted way in which they are presented. These differentiations are required in the outset to obviate the suspicious characteristic of human nature. Once the two communities are made to stand on equal footing, they are sure to descend to meet and on the principle of give and take will smooth the progress to the ultimate goal of becoming

1. Viscount Morley in the House of Lords on the second reading of the Indian Councils Bills, February 23, 1909.

one day a nation in the real sense of the word. We have two unions with England before us—the union with Scotland (1701), and the union with Ireland (1800). The one was with the free will of both parties, each retaining all its organizations—political and religious—in every particular and detail. The effect was that by mutual trust these different organizations one by one merged into one and the two peoples became a nation in the full sense of the word. While in the other case, the special organisations of one people were perforce abolished from the very beginning. The result was that the gulf of difference grew wider and wider to ultimately break the two people quite asunder. In the long history of the various attempts of many centuries to unite Germany there is much to teach us how we should proceed in the beginning.

Anyhow, Mussalmans are for peace and order and for cultivation of amicable relations with all other communities, specially the Hindus, but if the latter in presumption of their larger population, greater wealth, and stronger political organization decide to ignore our overtures and compel us to accept the principle of Nehru Constitution we shall not fight shy of them and shall welcome their ultimatum with 'Bismillah'. But in this case we have to ask them 'don't take shelter behind the British.'

To the British, we don't wish so, we don't propose so, but under the circumstances, we have no alternative but to say so, that if you are cowed down by the 'majority rule' cry of the Hindus and don't find yourselves strong enough to acquit the great responsibility imposed upon you to govern India and govern it justly, then please clear off the field and leave us Mussalmans to decide our fate as best as we can. The policy of the Hindu Rule with British bayonets is neither honourable for the British, nor can it be binding upon Mussalmans. We have sworn allegiance to our beloved King Emperor and to his predecessors of revered memories, which constitutionally means to a definitely established form of State, and not to any form of State—a Gandhi Republic, a Monje Autocracy or a (junior) Nehru Communism.

Whatever deficiencies of the Mussalmans, yet they have been left with so much political instinct as to discriminatelv perceive that government is the politically organized force of the country and any faction of the country once capturing this organized force, can do any havoc to other factions and is hard to be dispossessed of this force by even the combined efforts of all other factions. For any amount of philosophies of—ism and ics—Mussalmans cannot lose sight of the crude fact of commonsense that there is some difference between an organic force and an inorganic crowd.

Reforms or No Reforms, Bureaucracy or Councilcracy, Dominion Status or Independence, Mussalmans are to have their due place in the Government that exist.

# 27

## ON SEPARATE ELECTORATES*

By the Government of India Act of 1919, the British Parliament conferred on the Provincial legislatures powers in certain subjects, such as Education, Agriculture, Industries, Medical Relief, Local Self-Government, Co-operative Credit Societies, etc. This was in fulfilment of the promise made by the late Mr. E. S. Montague in the British Parliament in August, 1917. The Government in the provinces was divided into two parts, the Reserved half and the Transferred half. The departments in charge of the Reserved half are Justice, Police, Finance, Land Revenue, Irrigation, Forests, etc The members in charge of these departments are appointed by the Crown, and are not responsible to the legislature. The transferred departments, on the other hand, are in charge of Ministers who are responsible to the legislature. If the latter passes a vote of no-confidence in them they must resign. We may say briefly that Diarchy was established in the provinces Under this system there are ministers as well as executive councillors, the latter being in charge of reserved subjects. Diarchy was probably a necessity at the time, but the question to be decided was whether the Government in India should be conducted on the principle of irresponsibility to the legislature or on the principles in operation in all the self governing colonies of the British Empire, such as Canada, Australia and South Africa. After elaborate inquiries and a thorough investigation by all responsible statesmen in England it became perfectly clear that India could not remain stationary. She could not go back; she could only go forward. The question therefore was not, whether there should be constitutional advance in India—upon this all parties were agreed—but

* Memorandum submitted by the Muslims of U.P. to the Indian Statutory Commission in 1928 (Extracts).

all the important elements of the community. After nearly four months of strenuous work involving the collection of materials, and the drawing up of the reports, a part of this memorandum was sent to the Delhi Office on the 30th June, 1928 Before I give the names of the persons who signed it, I should like to explain as briefly as possible the policy of the U.P. Muslims.

The Muslim community has been given the right of electing its own members by a system of separate electorates. In this system the electors are in general constituencies divided into Muslims and non-Muslims, and the seats for the two are fixed. In the United Provinces Legislative Council they are entitled to elect their own members to the legislature. The electoral rolls are also separate. This system is called the system of separate electorates, or the system of communal representation. The Muslims regard it as an essential safeguard for the protection of their interests. They feel that if it is abolished they will disappear from the public life of their country, as Hindus possess an overwhelming majority in seven out of the nine provinces, and Muslims form only 14.28 per cent of the population of the United Provinces, 6 70% of Madras, 4 05% of C.P. and Berar, 19 7% of Bombay, 18.85% of Bihar and Orissa and 28.96% of Assam. Only in two provinces, viz., the Punjab where they form 55.33 per cent and Bengal, where their percentage is 53.99, they do possess a majority. Yet their majority in the two provinces is very small indeed when compared with the overwhelming majority of the Hindus in the other seven provinces. The Muslims therefore fear that if separate electorate is abolished they will be simply swamped by Hindu voters, and no Muslim will have any chance of election. This fear has been realised in those places where the system of joint electorate obtains. In the chapter headed 'The Working of the Safeguards for Minorities' it is shown that this system is merely a variation of the system of Proportional Representation.

But the system of separate electorate is meaningless, barren and hollow unless it is supplemented by effective safeguards in the domain of administration, education and

local self-government. The Muslims have found by bitter experience of the working of reforms in these provinces that the system of separate electorate has proved comparatively ineffective in those matters which concern our community vitally, matters upon which depends our economic, political, and intellectual and religious development. The policy and action of the members of the majority community in those spheres of activity over which they have acquired control shows conclusively that they have not exercised that spirit of give and take, that capacity for compromise, nor developed those habits of sympathy, mutual help and goodwill, which are an essential requisite in every government. It is unfortunately only too true that just after the reforms, when the legislature was invested with comparatively large powers, they acted in a manner which alienated the sympathy of an overwhelming number of Muslims. In the services they tried to monopolise most of the appointments. The report on the services traces the processes which lead to the elimination of Muslims from various departments. In the local self-governing bodies their majority holds sway, and as these bodies have been given far-reaching powers, they virtually do what they like. If the Government tried to improve their administration, the cry of 'Autonomy of Local Bodies' was raised in various quarters. These bodies cut down the grants for Muslim primary schools; reduced the number of Muslim teachers; forced Hindi on Muslim boys, reduced and in many cases dismissed Muslim servants; eliminated Muslim contractors, and imposed irrigating, invidious, and in a number of cases unjust and cruel restrictions on the exercise of religious rites by the Muslims. The administration of these bodies is Hinduised in tone, temper, manner and method. The report on Local Self-Government supplies numerous cases of this kind, and throws a lurid light on the policy of these bodies. The general feeling is that the District Board Act of 1922 practically established a Hindu Raj in the rural areas. The reader's attention is invited to the cases cited in that report In Education, precisely the same tendencies are at work. Primary education in the rural areas is controlled by the District Boards in which the Hindus exercise

unchallenged supremacy owing to their overwhelming majority in these areas. The result is seen in the stifling of Muslim primary education, the unprecedented reduction in the number of Muslim teachers of primary schools, and the systematic, deliberate and persistent attempts of these bodies to force Hindi on Muslim boys against their will and wishes. In Municipal Board, wherever the majority community has got the power, precisely the same policy is pursued. The reader is referred to the account of Kanpur, Jhansi, Naini Tal and other municipal boards contained in the report on Local Self-Government. The history of the attempts made by the leaders of the Muslim community in these provinces in 1924, 1925, 1926 to get their grievances redressed both in the spheres of primary and in those of secondary and university education is traced in the report on Education The Intermediate Education Board, which moulds secondary education throughout the provinces, has been Hinduised, while the two Universities which are maintained chiefly by Government grants are completely dominated by the Hindu community. In all the important bodies of these universities, such as the Faculty, the Academic Council, the Executive Council and the University Court very few Muslims are to be found, while on the staff of all these Universities, the representation of the Muslims is so scandalously small that Muslims have practically lost all hope of getting any member of their community appointed to any post in the University, or elected to any University body.

It was these facts staring U.P. Muhammadans in the face, these substantial reals, which compelled them to formulate their case and bring their grievances to the notice of the commission in the hope that justice will be done to them. The Muslim community is firmly of the opinion that very great blunder was made at the time the Local Bodies, the Universities and the Intermediate Education Board were made autonomous bodies. It thinks that the rights of minorities ought to have been amply safeguarded in all these bodies by statute It is firmly of the opinion that unless and until these rights are safeguarded it will never agree to any change in

the constitution It is convinced that without safeguards in education, local self-government, administration and the legislature it cannot live honourably and freely. Unless and until these rights are safeguarded, it will not only oppose all changes in the constitution, but will strongly advocate the scrapping of reforms. The report on the safeguards for minorities analyses these safeguards. It also contains a selection of treaties and other provisions which make provision for the protection of minorities in various countries. Muslim powers such as Turkey and Albania have conceded these rights. Indeed, Turkey has gone even further and has inserted provisions in the new Civil Code, promulgated in 1926, which are even more liberal than the minorities clauses which she signed in connection with Treaty of Lausanne, 1923. The working of these treaties is traced in a section of the report headed. 'The Working of These Safeguards'. From this section it will be perfectly clear that the fourteen powers who signed these clauses are observing it If any power neglects its duty, the minority has the right to petition the League of Nations, which is the guarantor of such treaties. The Report will show at a glance the extent of the influence of these treaties on the policy of the various governments towards their minorities.

The position of the U.P. Muslims is perfectly clear. They do not want, and have never desired, to play the part of Ulster in India. They have fought and are willing to fight with their Hindu brethren for the battle of constitutional freedom for their country. Their political principles do not differ from those of other parties and organisations in India. They are children of the same motherland glorifying in her achievement, and sharing in the sorrows and joys of their country. They do not believe in extra-territorial patriotism, and are as determined as any other community in India to resist the invasion of their country by any Islamic power, whether it be Afghanistan, Persia, or Turkey. They are proud of the glorious heritage of culture which India boasts, and which they share in common with their Hindu brethren. All that they desire is that before any change is made in the constitution their rights should be

safeguarded. They are convinced that the only safe method of effecting this is by inserting these safeguards in a parliamentary statute. They know that in all the legislatures in India and in overwhelming number of local autonomous bodies, the Hindus enjoy a permanent majority. They fear that even if these safeguards are granted to them, either by means of an executive order, or by an act of local or central legislature, they will be scrapped. Lord Meston's Government guaranteed the Muhammadans safeguards in primary education. The District Boards which came into being after the Act, 1922, practically disregarded all the important safeguards. The Governor is helpless, as he told the Muhammadans who waited upon him in August 1924, that in education the legislature was practically supreme. As the legislature is dominated by the Hindus and the Minister is responsible to the legislature, the Muslims are absolutely helpless. They feel, therefore, that the only effective way of safeguarding their interests is by embodying them in law passed by the British Parliament, and compelling every body in India, whether it is a legislature, a Municipal or a District Board, or other autonomous body, to observe it. They should, in other words, be fundamental, and should not be liable to modification by anybody in India.

This is the programme of the U.P. Muslims. They are resolved to fight this principle and to stake their all on its attainment, as they are convinced that upon it depends their existence as a community.

The report was signed by the following persons, and an incomplete copy sent by me on their behalf, to the Delhi Office of the Indian Statutory Commission on June 30, 1928. The complete copy was sent on July 21, 1928.

1. Dr. Shafaat Ahmad Khan, Litt. D. (Trinity College, Dublin), Member, U.P. Legislative Council; Chairman, Committee for the Demands of U.P. Muslims.

2. Khan Bahadur Maulvi Fasih Uddin, Member. U P. Legislative Council.

3 Khan Bahadur Hafiz Hidayat Hussain, B. A., Bar-at-

Law, Member, U.P. Legislative Council.

4. Zahur Ahmad Sahib, Bar-at-Law, Member, U P. Legislative Council, Secretary to the Committee.

5. Lieutenant Nawab Jamshed Ali Khan, Kaiser-i-Hind, Member, U.P. Legislative Council.

6. Khan Bahadur Shah Badre Alam, Member, U P. Legislative Council.

7. Khan Bahadur Masudul Hasan, Bar-at-law, Member, U.P. Legislative Council.

8. Khan Bahadur Saiyed Mohammad alias Maiku Mian, Member, U.P. Legislative Council.

9. Khan Bahadur Fazlur Rahman Khan, Vakil Member, U.P. Legislative Council.

10. Shaikh Abdullah, Vakil, Member, U.P. Legislative Council Treasurer, Muslim University.

11. Khan Bahadur Shaikh Ziaul Haq, Member, U.P. Legislative Council, Chairman, Municipal Board, Deoband.

12. Khan Bahadur Saiyed Jafar Hussain, Bar-at-law, Member, U.P. Legislative Council.

13. Khan Bahadur Hakim Mahbub Ali Khan, Member, U.P. Legislative Council.

14. Khan Bahadur Sh. Ghulam Husain, Member, U.P. Legislative Council.

15. Nawab Sajjad Ali Khan, Member, U.P. Legislative Council.

16. Saiyed Habib Ullah, Bar-at-law, Member, U.P. Legislative Council.

17. Khan Saheb Haji Abdul Qayum, Member, U.P. Legislative Council.

18. Lieutenant Khan Bahadur Nawabzada Abdus Sami Khan, Member, U.P. Legislative Council.

19. Khan Bahadur Ubaidur Rahman Khan, Member, U.P. Legislative Council.

20. Munshi Ihtisham Ali Sahib, President, U.P. Provincial Muslim League.

21. Doctor Ziauddin Ahmad, C.I.E., D.Sc., Ph.D. (Gottingen).

22. Khan Bahadur Aslam Saifie, Member, Municipal and District Boards, Meerut.

23 Moulvi Nazir Ahmad, Member, District Board, Allahabad.

24. Mr. Amir Hasan Khan, B. A., LL B., Vakil, Municipal Commissioner, Fatehpur.

25. Mr. Muhammad Azim, B. A., LL.B., Vakil, Senior Vice-Chairman, District Board, Ghazipur.

26 Mr. Abdul Bari, B. A , LL.B., Vakil, Municipal Commissioner, Jhansi.

27. Hakim Nazir Ali, Municipal Commissioner, Cawnpore.

28 Mr. Ayub Siddiqi, B. A., LL. B., Vakil, Senior Vice-Chairman, District Board, Farrukhabad.

29. Mr. Anwar Ali Khan; Member, District Board, Bareilly.

The following gentlemen have expressed their desire to give evidence before the Statutory Commission next November :

1. Dr. Shafaat Ahmad Khan, Litt. D. (Trinity College, Dublin), Member of the U. P Legislative Council, and Chairman Committee for the Demands of the United Provinces Muslims.

2. Khan Bahadur Hafiz Hidait Hussain, B.A., Bar-at-law, Member, U. P. Legislative Council.

3. Khan Bahadur Maulvi Fasi-Uddin, B.A., Retired Collector of Jaunpur, Member, U. P. Legislative Council.

4. Mr. Zahur Ahmad, Bar-at-law, Member, U. P. Legislative Council, Secretary to the Committee.

5. Khan Bahadur Masudul Hasan, Ex-Chairman, Municipal Board, Moradabad, Bar-at-law, Member, U. P, Legislative Council.

6. Khan Bahadur Fazlul-Rahman Khan, B. A., LL. B., Vakil, Ex-Chairman, Municipal Board, Shahjahanpur, Member, U. P. Legislative Council.

7. Shaikh Abdulla Sahab, B. A., LL. B., Vakil, Treasurer, Muslim University, Aligarh, Member, U. P. Legislative Council.

8. Maulana Abdul Bari, Bar-at-law, Memb er, U. P. Legislative Council.

9. Khan Bahadur Shaikh Zia-ul-Haq, Chairman, Municipal Board, Deoband, District Saharanpur, Member, U. P. Legislative Council.

10. Khan Bahadur Hakim Mahbub Ali Khan, Ex-Chairman District Board, Bareilly, Member, U P. Legislative Council.

11. Khan Bahadur Gulam Hussain Sahab, Member, U P Legislative Council

12. Nawab Sajjad Ali Khan Sahab, Member, U. P. Legislative Council.

13. Syed Habib-Ullah, Esq., Bar-at-law, Member, U. P. Legislative Council.

14. Khan Bahadur Maulvi Ubaidur Rahman Khan, Member, Executive Council, Muslim University, Aligarh; Member, U. P. Legislative Council.

15. Munshi Ihtisham Ali Sahab, President, U. P. Provincial Muslim League, Lucknow.

16. Mr. Amir Hasan Khan, B. A., LL. B , Vakil, Municipal Commissioner, Fatehpur.

17. Mr. Basir Ahmad, Retired Assistant Inspector of Schools, Fyzabad.

18. Mr. Mohammad Afzal, Bar-at-law, Ex-Chairman, Municipal Board, Rae Bareli.

19. Mr. Shakir Ali, Bar-at-law, Ex-Member of the U. P. Legislative Council, Gorakhpur.

20. Khan Bahadur Mir Syed Husain, Retired Deputy Collector, and Member, District Board, Lucknow.

21. Khan Bahadur Nawab Murtaza Hussain Khan Sahab, of Lucknow.

22. Mr. A. M. Qureshi, Principal, Intermediate College, Muslim University, Aligarh.

23. Mr. Mohammad Masih Uddin, Bar-at-law, Bara Banki.

24 Lieutenant Nawab Jamshed Ali Khan, Member, U. P. Legislative Council.

25. Rao Sahib Abdul Hamid Khan, Ex-Member U. P. Legislative Council, Rais of Muzaffarnagar District.

26. Mr. Akhtar Adil, Judge, Khairpur Mir's State.

27. Dr. Ziauddin Ahmad CIE, Ph. D., D. Sc.

28. Mr. Abdul Bari, Vakil, Municipal Commissioner, Jhansi.

29 Mr. M. A. Aziz, M. A. (Cantab), LL. B , Advocate, Allahabad.

The witnesses will give evidence on the subjects comprised in this report. They will, of course, choose only those subjects in which they possess a sufficiency of experience and information; and it is not likely that any witness will give evidence on more than two subjects.

The material for the representation has been very carefully sifted and analysed. The Committee has based its statement partly on the evidence supplied by the Government in the Civil List, the U. P. Legislative Council, and other Government publications and partly on the experience of the members of our community in various bodies, such as the Universities, Intermediate Education Board, Municipal Boards, Government departments, and other bodies. Wherever possible, the source of information of the committee is indicated in the appendices to the various sections of this report, which will be found at the end of the book.

I may conclude this brief summary of our case by stating that if there had been a real, earnest, and a genuine desire for reconciliation, if a spirit of compromise and toleration had been shown by the majority community, the political situation in India would have been hopeful; but so long as the present mentality continues, so long will there be dissatisfaction, and disquiet my only suggestion for this is a complete change of heart, and sincere desire for reconciling the interests of the minorities with those of the majority communities. I cannot

do better than quote the following from the illuminating suggestions of that great man, Edmund Burke, 'The combination and the opposition of interests, their action, and the counteraction, in the natural and in the political world, from the reciprocal struggle of discordant powers, draws out the harmony of the universe. These opposed and conflicting interests, interpose a salutary check to all precipitate resolutions, they render deliberation a matter not of choice, but of necessity; they make all change a subject of compromise, which naturally begets moderation; they produce temperaments, preventing the sore evil of harsh, crude, unqualified reformations; and rendering all the headlong exertions of arbitrary power, in the few or in many, for ever impracticable.'

## 1. THE REPRESENTATIVE SYSTEM AS APPLIED To BRITISH INDIA

### *The Basis of Franchise*

There are two classes of constituencies in these provinces, the general and the special; under the United Provinces Legislative Council Electoral Rule 6 only persons whose names are borne on the electoral rolls are entitled to vote. A person is entitled to have his name registered on the electoral rolls of a general constituency provided he fulfils the following qualifications :

1. Community,
2. Residence, and
3. (a) Occupation of a house, or
   (b) Assessment to property and tax on companies or profession tax, or,
   (c) Assessment to income-tax.
   (d) Military service,
   (e) The holding of land.

The qualifications of electors are different for all the three legislative bodies. They are higher in the legislative assembly than in the Provincial Legislative Council and still higher in the Council of State; but the broad points

of qualifications are those enumerated above. It will appear from this that the above table ignores many interests; the franchise, too is high, the consequence being that a very small fraction of the provincial population is capable of exercising the right of voting for legislative bodies. The population of the United Provinces is in round figures 4,60,00,000. In 1920 the number of voters on roll for the legislative council elections was 13,47,958. In 1923 the number rose to 15,09,127, the number of male voters out of the latter being 14,40,190 while the number of females was 68,937. Thus on a rough calculation the percentage of voters to the population is barely 3 per cent. It follows then that the Legislative Council can hardly be said to be the real representative of the people. We would gladly advocate adult suffrage, but the considerations deterring us from our recommending this are lack of education in the electorate, and consequently lack of any sense of responsibility in the general mass of the population. There are now out of every thousand of the population 37 literate persons. The test of literacy being 'those only are literate who can write a letter to a friend and read the answer to it'. All the same it appears to us that with the gradual diffusion of knowledge a widening of franchise is called for. We, therefore, propose that persons possessing the following qualifications may further be enrolled as electors, viz :

Every person ordinarily residing in rural a or urban area who is a matriculate, or has passed the School Leaving Certificate Examination or an examination recognized by the Local Government as equivalent thereto, or an examination of proficiency in Indian vernaculars or classical languages, recognized by any Indian University or by the Local Government.

*Method of Election*

We recommend that the method of direct voting be maintained for the present. In course of time it will become obsolete, but we are unable to recommend the indirect method of election, *e.g.*, through the electoral college, just at present. Our reasons for this are : (1) the number of voters even

with the increase above suggested would not be unmanageable for direct voting, (2) the country is not yet prepared for indirect voting, which, if resorted to, will result in compartments based on castes and employment of further unfair means at elections.

*Method whereby particular interests, communal, local, social and economic may obtain adequate representation on local self governing provincial nd central representative bodies.*

(1) The present division of the population for the purpose of election is very artificial. All Indians who are neither Christians nor Muslims are included in the term 'Hindu'. This has resulted in Hindus proper representing the great mass of our population known as the depressed classes. These constitute by far the major population of our province.

The population of Hindus proper in these provinces is 105,97,917, according to the Census figures of 1921, the touchable depressed classes, *e.g.*, Tamolis, Kachies, and Kahars, etc., number 1,39,73,188 and the population of the untouchable depressed classes, *e.g.*, Doms, Bauriyas, Kanjars, Bhangies, etc., is 1, 46,93,816, according to the same Census figures. Thus out of a total population of 4,60,00,000 of these Provinces about 28,80,000 *i.e.*, over 60 per cent are not represented in the Councils, except by one nominated seat, while the Hindus proper who constitute only 25 per cent of the population appropriate to themselves the majority of seats in the Council making the beginning of an oligarchy in the Province.

Our first proposal therefore is that this artificial division of the population be done away with, and representation on an adequate scale be given to the depressed classes. We advocate this also in sympathy with our Hindu brethren whose efforts for the uplift of these classes we greatly value. Our suggestion is that an appreciable number of seats be taken away from the general non-Muslim electorate for these classes, and that those seats be filled by election.

(2) ***Muslim Representation.*** The present method of election of Muslim members of the Council is by separate constituencies formed of Muslim voters alone, with the number of seats fixed. The Muslims of these Provinces unanimously and emphatically demand that this method of election shall remain unaltered. We recognize that this is not an ideal system, but we most strongly feel that unless Muslim members are elected by separate electorate the interest of the Mussalmans will irretrievably suffer. The separate electorates came into being for the first time in the Minto-Morley Reform Scheme. They worked well. Indeed the result of separate representation of Muslim was so satisfactory that much of the heart-burning that used to be engendered in both the communities at the time of election when the electorate was joint totally disappeared, and the relations became so cordial that the Hindus and Muslims entered into a compact called the Congress-League Pact, under which separate electorates were proposed in all provinces even where the Muslims were in a majority, and wherever they were numerically weak the proportion suggested was in excess of their numerical strength or their representation under the Minto-Morley Scheme. The reason why separate representation of the Muslims was introduced is now a matter of history, and does not call for a detailed examination here. It will be sufficient to say that before separate elections were introduced no Muslim, however in the forefront of political life he may be, could have any chance of successfully competing with a mediocre Hindu. We witness exactly the same state of affairs today in electorates that are joint. Our meaning will be well illustrated by a reference to the constituencies. Of the U.P. Legislative Council that have joint electorate and could return a member of any community. There are six such constituencies, *i.e*, Agra Landholders (North), Agra Landholders (South), Upper India Chamber of Commerce, United Provinces Chamber of Commerce, Allahabad University and Oudh Taluqadars. The following table will show the number of seats allotted and the number of Muslims returned in all the 3 elections under the Montague-Chelmsford Reforms Scheme :

| *Sl. No.* | *Name of Constituency* | *No. of seats allotted* | *No. of Moslems returned* | | |
|---|---|---|---|---|---|
| | | | 1920 | 1923 | 1926 |
| 1. | Agra Landholders (North) | 1 | | | |
| 2. | Agra Landholders (South) | 1 | | | |
| 3. | Upper India Chamber of Commerce | 2 | | | |
| 4. | U.P. Chamber of Commerce | 1 | | | |
| 5. | Allahabad University | 1 | | | |
| 6. | Taluqadars | 4 | 1 | 1 | |

Thus it will be seen that even during the reformed Council only 2 seats out of 30 went to Muslims. It should not be forgotten that the Taluqadar constituency which returned one Muslim Taluqadar in the years 1920 and 1923, each has a lever of influential Muslim element. With the advent of the Hindu Mahasabha in the field during the last election, communal bitterness ran high and not a single Muslim was returned out of the 10 seats. The Hindus proper occupied 9 seats while in the previous elections in 1920 and 1923, they held only 7 seats. This alone shows that being in the majority they could run the constituencies in the manner of their liking.

### *Muslims Preference for Separate Electorates*

The reasons which lead the Muslims to prefer separate electorates are—

(1) That they preclude all chances of communal bitterness. Before the Morley-Minto Reforms came into force elections

resulted sometimes even in open fights. These chances have now been avoided. In fact, the relations between the two communities have been improved by separate electorates. This was admitted by Chintamani, an ex-Minister of these provinces in his evidence before the Muddiman Committee on August 18, 1924, and it was on the basis of this reality that the U.P. Legislative Council introduced separate electorate for the Muslims in the district boards.

(2) The Muslims are backward in education and their economic condition has steadily deteriorated. In such a state of society it will be futile to expect their candidate to be acceptable to joint electorate. It will also be not possible for any Muslim returned by such joint electorate to advocate fearlessly the cause of Muslims. The result will be that Muslim interest will suffer.

(3) There is complete lack of confidence and trust among the members of both the communities. The Muslim public strongly feels and the realities of every day life demonstrate it beyond any shadow of doubt that the Hindu cannot be trusted with Muslim rights. He has more often than not shown hostility to the Muslim interest, and in such a state of society it will be futile to expect any Hindu returned from an electorate which is formed by a majority of his community to in any way safeguard Muslim interests.

*Joint electorates with reservation of Muslim seats*

In order to deal effectively with this subject it will be necessary to examine in a little greater detail the condition of the Hindu and Moslem society in these provinces of the present day. The United Provinces of India have been the real home of the Muslim rulers of India. Delhi and Agra have been their Capital. Oudh firstly a province of the Moslem emperors of India was later ruled by Muslim kings. The Muslims were thus the rulers and the Hindus the ruled The British acquired these provinces from the Moslem, who naturally at that time had the largest interest in the country. Their interest in landed property was considerable. They occupied then

and continued so to occupy for long afterwards a position of vantage in all public offices, judicial, executive and ministerial. The employment of their own language was also a great asset to them.

The Muslims kept sullenly aloof from all those institutions —educational and political—that the British rule brought in its wake This attitude of the Muslim brought suspicion in the mind of the British, which was fed by the other communities anxious to secure benefits for themselves. He thus easily became the target of all those invectives and calumnies that were levelled against him. The cumulative result of all these disintegrating forces has been that the Muslim, despite his frantic efforts to recover the ground lost during the last half a century, finds himself backward educationally. His property has been steadily slipping from his hands, and as he is not allowed to engage banking pursuits is largely under the influence of Hindu money lender Other communities, *e.g.*, the Hindus proper, on the other hand, took the fullest opportunity of every avenue of progress and advancement that was open to them. Added to this, their endeavour throughout has unfortunately been to dislodge the Moslems from all positions of influence and power. The attitude of *laissez-faire* that the Government adopted towards the Moslems has further contributed to their present position. The result is that while, on the one hand, the Hindus at present occupy in these provinces position of vantage—they are educationally far superior to the Muslem, they are economically on the strongest possible position, they are organised, they are capable of creating and keeping up agitations, they are imbued with a strong sentiment of creating a nationality of their own which means Hinduism, to the exclusion of all other faiths and peoples—while the Muslims, for reasons which have been detailed above, are less educated, are economically weak, are looked upon as foreigners by the Hindu, are disorganised principally because they are scatterred over a large area, are not fond of agitations, and are by habit anxious to give as little trouble to the Government as possible.

Such being the present state of Hindu-Muslim society, could it for a minute be conceived that joint electorates will not mean another inroad on the Muslim position, and will the Muslim be far wrong, in further doubting the *bonofides* of the British Government towards the Mussalmans of the country if joint electorates were substituted for separate electorates? There is thus no alternative for the Muslims in the present state of the country except to insist on separate electorates and separate representation of the Muslims. Such electorate with reservation of seats for the Moslems will not avail, for the following among other reasons—

(1) If separate electorate is bad, joint electorate is bad enough, and both are the negation of democratic theory.

(2) Owing to various reasons, a considerable number of Muslim voters are influenced by Hindu money-lenders, and we fear that if joint electorates with even reservation of seats for the Muslims are established, Muslim voters will not be in a position to exercise their power of voting freely and Muslim interest will have no chance of representation. A Muslim elected from such a constituency will always be in the hands of the Hindus, and will never be able to stand for the purely Muslim rights. He will be nothing if not a mandatory of the Hindus.

(3) Election of Muslims in such joint electorates will further embitter the relations between the Hindus and the Muslims and will be a fruitful cause for constant friction. We will illustrate this by saying that in such an electorate, if two Muslims stand, one a nominee of Hindus and the other a nominee of the Muslims, the latter will obviously have no chance. If two Muslims holding conflicting views come in and the Hindu back one who is a supporter of their views, as the Muslims will be naturally opposed to such a candidate, an atmosphere of discord will be created, and the bitterness engendered will be further reflected in the every-day relations of the two communities.

(4) In all joint constituencies the numerical strength of the Muslims being necessarily very weak, no Hindu need approach the Muslim voters while the Muslim has no chance except by invoking the aid of the Hindu. The result being the Muslim is being put in a position of inferiority to the Hindu even in democratic institutions in the country and further logical sequence following this will be that the Hindu will swamp the election by men, both Hindu and Muslim, of his views, while the Muslim cannot in the least influence the elections.

(5) Muslims standing against Hindu odds and wealth in joint electorates will emerge unsuccessful and financially a wreck. Therefore, no Muslim, unless he is a protege of the Hindus, dare stand in joint electorates.

The avowed aim of the British Parliament is to grant to the Indians responsible Government within the Empire. This is susceptible of successful fruition only if all the links in the chain of Indian nationalism are equally strongly forged. Unless and until the Muslim link is paid special attention to, will self-government have any chance of success in this country? The Hindus have so far done nothing and they refuse to do anything as the course of negotiations during the last few months has shown, to win the confidence of the Muslim minority. It is for the Government now to re assure the Muslim mind by guaranteeing to him the safeguard of his special rights and by securing him separate seats by separate electorate. The member thus returned by separate electorate has manfully stood for the Muslim rights, has fought the Muslim battle, has represented to the Government the Muslim point of view. Could it for all this be ever said that he has ever betrayed the cause of the country in any one single instance? He has joined the Swarajist group, he has joined the Independent group in Legislature, and has in all cases thrown his weight on the popular side. He (*i.e.*, coming from separate electorate) is a necessity both for the Government, for the country and for the community.

We hope it is clear that if joint electorates are alone restored, Muslims will be wiped out of the Legislatures. If seats are reseved for them in joint electorates, Muslims returned from these electorates will be Muslim in name only, they will be the proteges of the Hindus and will in no way represent the Muslims.

A great deal has been lately made of the communal troubles. These are attributed to separate electorates granted to the Muslims Any impartial observer of the trend of events will at once see the hollowness of these illogical assertions. This is a pure innovation and has been devised to side-track the issue. If separate representation has done anything, it has appeased the tension. The real cause of these disturbances is the determination of the majority community to establish in its own way its political dominance in India by wiping out and crushing the minority community which not long ago was its ruler.

This aggressive policy of the majority community has now taken a concrete shape in the organisation of the Hindu Mahasabha, a politico-religious body, which now dominates and guides the action of the Hindu community, in spite of resistance and opposition from the Congress and the ineffective and mild persuasions of other Hindu political bodies, with the result the Hindus as a community regard the Mahasabha as a genuine organ of their communal aspiration in political, social and religious matters. In our province the Mahasabha has already displaced the influence of the Congress and other political bodies in which the Hindu element predominates. The preachings and activities of the Mahasabha have brought about all the evils which are attributed to separate electorate. The followers of this organisation interfere with the religious liberties of the Muslims, knowing that the community though inclined to put up with every kind of iniquities cannot tolerate in the least any violation of its religious rights. The hostility which the Hindu Mahasabhites entertain towards the Muslims is manifested by their insistence on the playing of music before mosques just at the prayer

time and in such an aggressive way as to interfere with religious worship; in their parading the street singing hymns execrable both in purport and prosody, in their staging tableau vilifying the achievements of the greatest and noblest of the Muslims; in their describing the Muslim rule as the most tyrannical and one whose sole mission in India was forceful conversion of the Hindus to Islam and dishonour of their womenfolk. These activities of the Hindu Mahasabha have made communal riots the normal feature of the life of these provinces. The latest exhibition of the antagonism of the majority towards the Muslim is the Shuddhi and Sangathan movements whose preachers occupy the highest position in the political, economic, and social life of the Hindus. No Muslim could possibly have any objection to these movements if they were pursued, one of them for the propagation of religious faiths and beliefs, and the other for the consolidation of Hindus. Indeed we would welcome these movements if carried on within their legitimate ambit. But Shuddhi and Sangathan are preached merely to excite hatred against the Muslims. Shuddhi and Sangathan were started in 1923, after the possibilities of the reforms had been realised by the majority community. The former aims at securing greater numerical superiority for the sake of convassing political ends, while Sangathan is nothing but a combination of force for assuming physical triumph against the Muslims. The aim and object of all these activities is to weaken the Muslims as much as possible in order to involve him in financial ruin and creating a feeling of dread in him. We have described this in some detail in order to expose the mind which is anxious to sidetrack the issue to cover its own machinations. The *raison d'etre* of the Hindu mind is that he must create eventually a kingdom for the Hindus alone in India, and that all other communities must be so much reduced in numbers and strength that they must finally merge in them. The irony of the whole situation is that the Government of the land seems to have been so much overpowered by Hindu members and by their agitation, howeves spurious and artificial it may be, that it follows the line of the least resistance, with the result that the minority

communities are beginning to lose faith both in its strength and policy. This augurs ill for the future peace and prosperity of the country.

Another reason why this charge against the separate representation is made is that the Muslim elected by means of the separate electorate feels quite independent of the Hindu, and is a free agent to represent boldly to the power that may be his grievances. This the Hindu does not like; he wants all his acts of unfairness and injustice to remain screened, indeed even under the Union Jack he wants to establish a despotic oligarchy for himself.

With separate representation comes the question of the proportion of Muslim representation. We maintain that the proportion of the Muslims arrived at under the Montague Chelmsford Scheme be maintained. Our reasons are:

1. We rely on the solemn pledges and assurances given to us by leading and responsible British statesmen and embodied in the Government of India Act of 1919 upon which is based the entire constitutional structure of these provinces and the rest of India.

2. That it is based on pact and has the sanctity of contractual obligations. Neither the Hindus nor the Muslims have repudiated the contract as far as this province is concerned, and the fact remains as of binding validity.

3. The Muslim in this province, as we have pointed out before, was the ruler of the land. Not to mention his past achievements in science, literature, art and political field, etc, he has given ample proof of his organising ability and executive capacity. The Muslims are only 14.28 of the total population of the province, but they still pay Rs. 1,24,50,348 yearly for land revenue as against Rs. 5,73,52,068 of the Hindus. They supply the sinews of war. They have fought for India and for the maintenance of the peace of the world. They, therefore, expect that in return for their services, their past achievements, and their present position, their political

importance shall not be ignored and their proportion in the Council shall be maintained.

4. The Muslim in this province as in the rest of India is a homogeneous people bound together by the same communities of religions aspiration, social and political outlook. His representation in the Council therefore must be effective as he represents one set of interest.

5. The depressed classes both touchable and non-touchable who out-number in these provinces the Hindus proper as well as the Muslims will take long time to come on a par either with the Hindus proper or the Muslims, being extraordinarily weak in intellect and low in social and economic status. It will be impolitic to let the caste Hindus alone monopolise the advantages that should have gone to the depressed classes had they been in a position to take advantage of the reformed constitution. In fairness to the Muslim, these advantages should be apportioned equally between the caste Hindu and the Muslim.

We, therefore, plead for Muslim representation by separate electorate and in order to make it in any way effective we further plead that the proportion of elected Muslim representation to the elected non-Muslim representation which now exists shall be maintained. Separate electorates have existed in Austria and Hungary, they were introduced by the labour Government in Kenya, they have been in operation in Cyprus, they are in force in Palestine. Wherever differences of race, religion and language exist, special safeguards have been devised for the protection of linguistic, racial and religious minorities. Nor is separate representation in any way antagonistic to the attainment of provincial autonomy and diffusion of democratic ideas and ideals in the peoples of India. Indeed if the separate representations were taken away from the Muslims their political education will be greatly impeded.

*Further Safeguards of Muslim Interests*

In the Congress-League scheme besides special electorate

and a fixed ratio of representation for the Muslims a further safeguard was provided. The proposal was that no Bill nor any clause thereof nor a resolution introduced by a non-official affecting one or the other community (which question is to be determined by the members of that community in the Legislative Council concerned) shall be proceeded with if three fourths of the members of that community in the particular council, Imperial or Provincial opposed the Bill or any clause thereof, or the resolution. This proposal was turned down by the authors of the report on Indian Constitutional Reforms on the ground that the clause being widely worded was unworkable, and secondly that any such proposal would be open to persistent and probably successful attack in the courts. The authors of the report thought that peculiar religious rights and customs of Islam were generally safeguarded by section 79 of the Government of India Bill (since replaced). We feel the force of these observations, but we would like to draw your attention to the hard, and at times, cruel, logic of facts. The Hindu placed in a majority can ride roughshod over Muslim sentiments, ideals and aspirations. Instances are not lacking where this has been done, and even in the U.P. Legislative Council three resolutions have been repeatedly brought practically prohibiting the killing of cows. In some municipal and district board such resolutions have already been passed even though they were *ultra vires*. The language question has been decided against the Muslim by several of the local bodies where Hindus predominate. Indeed attempts are being made to take the fullest advantage of the Hindu majority and bring everything in line with its likes and dislikes. The Muslim position is that in cases which have to be determined by a majority of votes safeguard for his special interests be provided. The proviso referred to above relates only to private Bills and resolutions and has nothing to do with Government measures.

Thus for the Muslim we plead :

(1) Representation by separate electorate.

(2) The present proportion of Muslims should be main-

tained in the provincial legislature in order to make their representation adequate and effective.

(3) The three-fourth pro.iso should be made a rule of the construction.

(i) With regard to the representation of local, social and economic interests in the Provincial Legislature our opinion is that there are no sharply defined local and social interests in existence in these provinces that need special representation. We think, however, that a representation of labour in the legislature should be effected. Social organizations like Seva Samiti are indirectly represented by the caste Hindu members and our opinion is that these organisations have received a share of government patronage and public money in the hands of the government far in excess of either their importance or their services. Economic interests are directly represented in the Councils by the Chambers of Commerce.

(ii) The relationship between representatives and constituents.

(iii) The growth of parties.

(iv) The growth of informed public opinion.

It will be convenient to take all these sub-heads together. The Indian constituency continues to be something quite different to the constituencies of the West. In England, for example, the member chosen represents the political creed of his constituents. This is because in England political parties are formed outside legislatures on account of the educational and political advancement of the constituents. It is true that people have begun to take an active interest in politics but it will be quite wrong to say that voting is on party lines, or that voters vote for a candidate because they like his policy, or because the voter has himself a policy which the candidate advocates.

Parties are formed on economic and political questions.

They are formed on the ground of different interests—political and economic. What is the predominant interest in India today? There are separate interests. The European is absorbed in commercial interests. He has cared little so far for the political ideals of the country. The Muslim is more concerned now with his educational and economic advancement in order to fit him to take his proper share in the administration of the country. The intelligentsia of Hindus proper wants the entire administration of the country in its own hands, while the bulk of the Hindu community is groaning too much under the tyranny of its caste system to think of anything else except its own small interests. Thus unless all the constituents that go to compose India advance educationally, politically and economically on nearly equal level, it would be futile to expect party formation on European lines. There, if the declaration of August 1917 has any meaning, Government must help in the natural and orderly development of all the Indian people so that they may later on be able to draft a constitution for themselves and thus alone will they be able to lay a foundation for the growth of parties which after all are of primary importance in a parliamentary system.

As things exist, public opinion is yet in the making, taking the province as a whole. There is generally speaking a demand for greater share in the government of the country by the people. Ten years is too short a time to bring into proper perspective the future potentialities of the country, but signs of the growth of responsibility in the people are not lacking.

### *Nomination of Officials and Non-Officials as Additional Members of Elected Bodies*

The nomination of officials and non-officials for membership of the Council or other elected bodies cannot yet be done away with. We have provided for a somewhat larger element of official and non-official nominations in order to make up for the inequalities of different inerests, *e. g.*,

science, literature and art, etc., and the representation of backward classes.

## II. THE SUITABILITY OF EXISTING AREAS FOR LEGISLATIVE AND ADMINISTRATIVE PURPOSES AND FOR THE GROWTH OF REPRESENTATIVE INSTITUTIONS

(a) Local Self-Government.

(b) Provincial, including the discussions of proposals for extension of self-governing institutions to other areas than the nine provinces.

Areas for legislative and administrative purposes generally correspond and we have no doubt are suitable for the growth of representative institutions. This heading has suggested to us if we could not extend the area for legislative purpose further than the administrative area and the consideration of this question leads us to the still broader question, *i e*, whether the future constitution of the country should be on a unitary or on a federal basis. After very careful consideration we have come to the conclusion that it is only the government based on the federal system that would suit Indian conditions. Every province must be left to develop itself, the residuary power being left to the central government. Constituted on this basis, provincial autonomy will be secured to the various States constituting the federation, and this would prevent the creation of an oligarchy so disastrous to the interests of minority communities and so inconsistent with true democratic principles. Reference may be made here to our report on Central Government and its discussion of the relations between the Central and the Provincial government.

We are firmly of opinion that reforms must be introduced in the North-Western Frontier Province and British Baluchistan and that Sindh must be separated from Bombay. The people of North-Western Frontier Province and British Baluchistan have been crying themselves hoarse for the introduction of constitutional and administrative reforms calcula-

ted to bring these provinces into line with the rest of India. This demand is supported by the entire Muslim India and is justified on every possible educational and economic ground. The majority of the Bray Committee supported the reforms in the North-Western Frontier Province the only dissentients being its two Hindu members. The policy of the Hindu Mahasabha leads one to think that the Mahasabha politicians desire the introduction of constitutional reforms only in those provinces where the Hindus are in majority. The introduction of reforms in the North-Western Frontier Province will, we are sure, lead to reduction of our military expenditure

The yoking of Sindh with Bombay is justified neither on ethnological, geographical nor any other ground. Indeed its absorption with that presidency has retarded its educational, material and civic progress, and has deprived it of its own University and its own High Court. Its agricultural advance has been impeded, and its port has not been developed. The agitation against the seperation of Sindh is again led by the Hindu Maha-Sabhaites purely an the ground that Sindh if separated would contain a majority of Muslim population. We hope that this spurious agitation against the granting of reforms to North-Western Frontier Province and the separation of Sindh from Bombay will not stand in the way of the Government taking measures calculated to materially advance the happiness and prosperity of the people living in those provinces.

The size of the Councils needs to be increased. As at present constituted they are extremely inadequate to secure effective representation of the Indian Population. If the franchise is widened, as we have suggested above, the existing disproportion will still further be marked. We therefore propose 100 members for the Council of State, 400 for the Legislative Assembly and 200 members for the United Provinces Legislative Council to be made up as follows for the Legislative Council:

| | | | |
|---|---|---|---|
| (1) Muslims | | | 50 |
| (2) Non-Muslims | | | 100 |
| (3) Special Constituencies : | | | |
| | 1. British Indian Association | 4 | |
| | 2. Agra Landholders | 4 | |
| | 3. Universities | 3 | |
| | 4. European and Indian Commerce | 3 | |
| | 5. Anglo-Indians | 2 | |
| | 6. Europeans | 2 | |
| | 7. Indian Christians | 2 | 20 |
| (4) Officials nominated | | | 20 |
| (5) Non Officials nominated | | | 10 |

The elections in (1), (2) and (3) above, should preferably be by the separate electorates for Muslims, and failing that by single transferable vote for which Government should frame rules.

We are further of opinion that most of the existing constituencies, both rural and urban, are too big and need adjustment to bring them to manageable proportions.

The area for local self-governing institutions must ultimately depend upon the territorial jurisdiction of a Revenue district for district boards and upon the urban area for a municipal board. We desire no change in the existing areas for local self-governing institutions.

## III. THE PROVINCIAL GOVERNMENT

### *Constitution*

The Provincial Governments are now divided into two halves of the Government, the Reserved and the transferred. The authors of the joint report in order to effectuate the historic announcement made on August 20, 1917, recommended the progressive realization of responsible government may

be taken. They therefore conceived the plan of dividing the functions of the Provincial Government between those which may be made over to popular control and those which were to remain in the bureaucratic hands. A division of the subjects of administration into reserved and transferred necessarily led to the division of the Executive Government into two parts. The Governor of a Province is charged with heavy duties and responsibilities imposed on him either by statutes or by the instrument of Royal Instructions issued to him. The principle of the united and indivisible responsibility with all its complications which is a feature of the central executive council applies equally well to the provincial executive council. The case of Ministers is, however, different. They are appointed by the Governor and hold office during his pleasure. The proposal of the authors of the joint report that Ministers could be appointed for the lifetime of the legislative council was opposed by the Government of India and the proposal of the joint authors was modified in accordance with the recommendation of the Government of India.

The position now therefore is that on the one hand we have the executive council administering the 'reserved' subjects with collective responsibility, on the other, we have Ministers appointed by the Governor holding office at his pleasure and disclaiming joint responsibility.

*Working of Diarchy*

The joint select committee recommended that the status of ministers should be similar to that of the members of the Executive Council. They also said that in their work they will be assisted and guided by the Governor who will accept their advice. If he finds himself compelled to act against their advice, it will only be in circumstances roughly analogous to those in which he has to override his Executive Council. In paragraph 6 of their report the joint committee further made it clear that it was of the highest importance that the Governor should foster the habit of free consultation between

both halves of his Government, and indeed he should insist upon it in all important matters of common interest. Information regarding joint meetings has been denied to us by the Government, but we have reason to suspect that they have not taken place as frequently as they used to do before the spring of 1922. We are not overfond of diarchy, and in our considered opinion it is not a system that has much to commend itself. The Legislative Council is in theory the dictator of policy. But in practice it is the Secretariat that dictates. The position of ministers has not been one of real responsibility. Their hands are completely tied owing to the lack of any control over finances. Ministers have no control over the members of the Imperial Service working under them Under this system the Secretary can go to the Governor over the head of the Ministers if the Minister differs from him, and we learn from repute that the voice of the Secretary sometimes finds credence with the Governor over the voice of the Minister. Thus we are not in any way satisfied that the diarchy has in any measure worked satisfactorily, and if we are not recommending its wholesale abolition it is because the present strained relations between the two communities and the Hindu mentality lead us to the conclusion that if it were abolished and provincial autonomy, that is, control by popularly elected legislature granted, a breakdown in the administration is bound to occur. We are nevertheless of opinion that diarchy being retained, all parliamentary conventions of popular control should be utilised.

### *Position and Powers of Governor*

Under section 49 (1) of the Government of India Act the Governor of each province has been empowered to make provision by rules for distinguishing orders and other proceedings relating to transferred subjects from other orders and proceedings. Under section 49 (2) of the Act he has also been empowered to make rules and orders for the more convenient transaction of business in his Executive Council and with his ministers, and further for regulating the relations

between them. The authors of the joint report in para 221 of their report and the joint select committee report in para 5 lay down instructions as to how the business of the government is to be transacted. The joint select committee report in para 6 goes so far as to lay down that in cases of acute divergence of opinion between the Governor and the Ministers, the Governor should allow the Ministers to have their way and the Royal Instructions to the Governor lay down that the Governor shall encourage the habit of joint deliberation between the Governor, Councillors and Ministers, but that so far as may be possible, the responsibility for each of the subjects, transferred and reserved, may be kept clear and distinct. We have little to add to what has been so well laid down in the joint report, the Joint Select Committee Report and the Royal Instructions to the Governor. We realise that the position of the Governor in a province where there are two parts of the Government, one amenable to popular control and the other not so responsible to legislature, is one of peculiar difficulty and considerable responsibility, but we also realise that if self government is the goal of British connection with India, the position of the Governor must be analogous to that of a dominion Governor and all initiative must come from the Ministers. We are therefore of opinion that the powers reserved to the Governor under section 49 (1), 72 (a) (1), 72B (2), 72D (2) (b), 72D (2) (C), 80 (1), 81 and 81 A should remain with him to be exercised with the advice of the Ministers. The following sections should further be retained :

Sections 49(2), 50(2), 72 D(4), 72 E(1) and 80(1), together with all those sections dealing with emergency powers.

### *Position of Ministers in Relation to Governor and Members of Executive Council*

From what we have said above it will be clear that we advocate as frequent joint meetings of the Executive Council and the Ministers under the Presidentship of the Governor as possible. To us it seems that the exclusion of Ministers from

the Executive Council meetings, though technically correct is against the spirit of the reforms. It is our experience that sometimes measures of the reserved half have been actively though clandestinely opposed by the Ministers. We therefore think that the goverment of a province should for all intents and purposes be unified and the Ministers should have the complete confidence by the Governor and the Executive Councillors—even in the administration of reserved subjects This will bring Ministers into touch with reserved departments and prepare the way for the assumption by Ministers of further responsibility as additional subjects are transferred.

### *Relationship of Members to each other and Question of Collective Responsibility*

We have no doubt that the time has long arrived when joint responsibility of the Ministers in the administration of transferred subjects should be enforced. The principle of collective responsibility of Ministers has not been recognised except in one or two provinces. This may be due to two reasons. Firstly, absence of well-organised parties in the provincial legislative council; secondly, the principle of collective responsibility of Ministers has not received much encouragement from most of the Governors. It is true that the Government of India Act has not provided for the joint responsibility of the Ministers. But it was so contemplated by the joint select committee (see Joint Select Committee Report on Clause 4 of the Government of India Bill) and it is a matter which depends in many countries, *e g.*, England and Italy, on mere conventions. Such conventions may be usefully built up in our country too. We are led to recommend this further for the reason that we hope party system will be encouraged in the Councils by the adoption of this rule.

### *Growth of Party System*

We have treated this subject before under 'The Representative System as applied to British India.' Here we content ourselves by saying that beyond the Congress party there are none inside. Whatever parties there are, are not political; but

different considerations some of them even temporary go to make a party in the Council.

*Working of Particular Departments*

We regret that the working of some of the particular departments *e.g.*, education, industries, local self-government, has consistently favoured the Hindu majority. We have described this in some detail in our memorandum on chapter dealing with education, local self-government and services. But the position may broadly be laid down that unless the rights of Muslims in all the departments constituting government are fully safeguarded in all their branches and details, and are made an organic part of the constitution, the Muslims are bound to suffer at the hands of the majority. Please consult our reports on safeguards, education, local self-government and services.

*Classification into Transferred and Reserved Subjects*

We are of opinion that all subjects excepting the following be transferred to the control of legislature, that is,

(1) Law and order, including general administration

(2) Land Revenue

Second chambers in all constitutions are a sort of lever to counteract the vagaries of the Lower House and are most beneficial if all the varied interests and experiences are brought into requisition. But our position is that in these provinces if the official block with all its attributes and powers of voting is maintained a second chamber is not at present needed. But if the official and the non-official (nominated) block is removed, the franchise is widened, and membership of the lower house is increased, a second chamber will be required. We would suggest tentatively the following constitution :

1. Representatives of landed interests, of commerce, and industry, and of learned professions, paying revenue or an income of Rs. 2,000 and over.

or

2. Persons paying income-tax on an income of Rs. 7,500 and over.

3. Members or ex-members of U.P. Legislative Council or Indian Legislatures.

4. All those title holders who receive their title from H M. the King.

5. Vice-Chancellors of Universities in these provinces. Ex-members of the Executive Government, and representatives of the High Court or Chief Court may also sit in this chamber.

### *Question of Provincial Autonomy*

We confess that we had been looking forward to the immediate grant of provincial autonomy to these provinces and if we have had to change our mind, it is because we strongly feel that if under the circumstances obtaining at present provincial autonomy without any safeguard for special Muslim interests were granted, the existence of the Mussalmans will be jeopardised. We now have had nearly 8 years' experience of the working of the reforms in these provinces, and can therefore speak with some confidence. It is our unfortunate experience that the general Hindu mind particularly since the advent of the Hindu Mahasabha in the field has shown unfeigned hostility to Muslim interests in all branches of administration. We are not unmindful of the fact that some Hindu gentlemen of light and leading are willing to concede to the Mussalmans their just and proper share, but the mind that dreams of Hindu swaraj and this constitutes the bulk, is intolerant of any Muslim element. Public offices owing to their machinations are being denuded of the Muslim; under local bodies they suffer beyond requital, and their education, the most powerful lever of political advancement of any people, is being retarded instead of being encouraged. Indeed the working of the reforms during the last 8 years has conclusively demonstrated that our very existence without necessary safeguards in this country is in danger. The Muslims can safely challenge any one to give one single

instance in which they have done anything which would militate against the country's advancement as a whole. They can on the contrary cite instance after instance to prove beyond any shadow of doubt that whenever any opportunity has occurred, Muslim interests have been defiantly crushed. The Government of the land, true to its national instincts and its commitments, feels so powerless to redress the wrongs of the Muslims that it has created an impression in their minds that it is also a party to their annihilation. We have said before that the peace and the future of the country are under these circumstances at stake, and it therefore grieves us beyond all description to say that if no adequate safeguards for the proper Muslim interests are guaranteed by the British Parliament and made an organic part of the constitution, we will not only say halt to all further reforms, but we would strongly advocate going back to the pre-reform days. We would rather have a benevolent autocracy than a crushing and galling oligarchy. In our report dealing with the Central Government we have dealt with the safeguards that we require at some length, and we invite a reference to that chapter for a clear exposition of our meaning. Here we content ourselves by barely enumerating the safeguards that the Muslim of these provinces positively feel they must have before a further march on the road to self-government could be made. The safeguards are :

1. separate electorate according to the Congress Muslim League Compact of 1916 as embodied in the Government of India Act of 1919;

2. separate electorates in local bodies;

3. effective representation on all autonomous institutions created by the Legislature, such as Universities, Board of Intermediate and High School Examination, etc.;

4. insertion of proviso, *i. e.* 3/4ths of the members objecting to private Bill or resolution in legislative and all local bodies;

5. safeguards for Urdu (Hindustani written in Persian

character) in all educational institutions, courts, Government departments and local and other elective bodies;

6. representation in the services maintained by the Government and the local bodies in the same proportion as their representation in these bodies;

7. representation in the cabinets of the Government both on the reserved and transferred side to be not less than 33 per cent;

8. adequate and effective safeguard for the exercise of Muslim religious rights;

9. due allocation of grants in aid of education, religion, charity, etc , by government and local bodies, for our community.

We submit that these safeguards should be embodied in the law of British India and enacted by the British Parliament. We have said before and we again repeat that we have been forced to ask for these safeguards because without them our very existence is in danger. Nothing would appeal to us more than to render unstinted service to our motherland, nothing would give us greater happiness than to work shoulder to shoulder with our Hindu brethren for the uplift of our country; but we are denied what is our just due by the mind which has no dream but of Hindu domination. With these safeguards all chances of friction will be removed, a new spirit of co-operation will arise, and the future of the country will be assured.

It should therefore be clearly understood that all the suggestions we have made in this portion of our memorandum relating to Provincial Government are subject to our demand for safeguards, and if we have spurned the call of the intelligentsia of the country to boycott the Statutory Commission, it is because we have strongly felt that unless the case of the Muslims was put before the Commission, an opportunity will be lost to them to emphasise their demands and the Commission will be denied the opportunity of considering

how best to effectuate the Declaration of August 1917. Our submissions in the part of the memorandum relating to the Central Government will show that these demands are not novel in character, nor are they foreign to constitution of countries which are inhabited by different creeds and diverse interests

We have shown that no Muslim representing Muslim views has any chance in joint electorate even with reservation of seats. We do not call separate representation an ideal system, but we are forced to advocate it as a necessity, nor would we ask for any safeguard if the majority community had given any evidence of impartiality, justice, toleration,—qualities essential to responsible Government—in its dealings with the Muslim minority. We insist that even if the present reforms are maintained or more subjects are transferred as we have suggested above, the safeguards are *sine qua non* of our existence. All existing or prospective reforms postulate the grant of safeguards pointed by us before. And it is with this clear understanding that we further proceed to make our suggestions.

If the Commission is not able to recommend immediate grant of provincial autonomy and diarchy is maintained, we are of opinion that in the administration of the transferred subjects, the spirit and the letter of the constitution shall be enforced, and collective responsibility of Ministers shall be enforced; but in cases in which the interests of the Muslim community are involved, the Minister belonging to that community need not be bound by the majority if he commands a majority of there-fourths of the Muslim members of the Council, and without in any way fettering with the decision of the Governor or restricting his powers, the Governor, we are of opinion, should take this factor into his consideration in dealing with him.

## LOCAL BODIES AND THE U P. MUSLIMS

Local Self-Government is the foundation of constitutional government. It is in, and through, the interest which the

citizen of a locality takes in the practical, day-to-day problems of his own town that he cultivates that habit and develops the capacity for participating in the greater, broader, and national problem of his age. We do not think it is necessary for us to emphasise this, as we believe that all students of English and European politics are agreed on this point. Keen observers like Bryce and President Lawrence Lowell have pointed out the excellence of Swiss democracy, and shown lucidly and clearly that it is the result of successful working of many of the self governing bodies in Switzerland. We deem it to be axiomatic, and regard local self-governments as a postulate of Indian politics. The great Indian nationalists of the past, who fought the battle of India's constitutional freedom and succeeded in enlarging the scope and widening the powers of local bodies, had perceived the need for liberalising these bodies and giving them greater powers. We need only refer to the yeoman service which the great Gopal Krishna Gokhale rendered to the cause. Nor need we refer to the work and character of Sir Surendra Nath Banerjea, who democratised the Calcutta Corporation and was instrumental in passing a law, which in whatever light one may regard its details, is remarkable for its comprehensive vision, grasp of principles and grip of facts. We are firmly of the opinion that parliamentary government postulates vigorous, enterprising and efficient self-governing bodies, dealing impartially with the conflicting claims of various interests, and giving the towns and rural areas all that they need—pure water, light, medical aid, good roads, and efficient education amid healthy surroundings. We do not want—indeed we cannot insist on—those amenities of town life which the municipalities of Venice, Hamburg, Paris or London provide. We are aware of the fact that the resources of these bodies are vast; that they are managed by intelligent citizens, who are imbued with the zeal and endowed with the capacity for civic work and large industrial, social and political enterprises. The demands of the Indian citizen are limited to the bare necessities of life. As our local bodies grow in power, influence, riches and popularity they may, we hope, take an active part in those undertakings for which the London County Council and other civic authorities

in England are justly famous. At the present time it would be impracticable for them to do so. They must cut their coat according to their cloth.

In order that these bodies may function efficiently and realise those objects for which they are created, it is essential that they should be left comparatively free in the sphere which is allotted to them. This is necessary for the fullest and truest expression of their individuality; it is essential for that clear, consistent and honest discharge of their multifarious duties upon which depends the well being of the citizens whom they represent. If they are hampered at every turn by the government, if their minutest action, slightest gesture and most harmless acts are subjected to capricious codding, or grandmotherly interference, either on the part of the government, or on the part of the legislature, their *raision d'etre* disappears. They need freedom; they require fresh air; they demand more elbow room; otherwise they will wither and die away.

We must not, however, be understood as advocating absolute freedom for local bodies, nor should we be regarded as champions of administrative nihilism. Our object in defining the sphere of work of these bodies is merely to indicate the broad lines along which we would like them to travel. We do not mean—indeed, we can never be regarded as holding the view—that each local body should be a master in its own household. This doctrine, if pushed to its logical conclusion, would reduce Indian society to its elements. The French Constitution of 1791, which was framed in the excitement of 1789—91, provided for about 40,000 parishes, each practically independent of the other, and all defiant of the central government. The result was chaos and anarchy and the whole administration was reduced to dust. This state of affairs was ended only by the merciless Reign of Terror, and the Napoleonic despotism. Such a policy is specially dangerous in a country like India, where centrifugal tendencies are constantly crossing and often times nullifying the ardent desire of our patriots for a solid, compact, and united nation. We are in substantial agreement with the main principles and general policy out-

lined in the recommendations of the Decentralisation Commission. We believe that the local bodies constituted on principles which were so lucidly explained in the report of the commission will be the corner-stone of our liberty.

Before, however, this aim can be realised, it is necessary that the limitations which are inherent in all local bodies should be vividly grasped, Every Government, as Burke says, is a government not only of laws, but also of men. Power, in whatever hands, is rarely guilty of too strict limitations upon itself. We believe that self-government can only be successful if it is accompanied by self-government personally; and if local bodies claim freedom within well defined limits, they must exercise their sovereignty over themselves individually as well as over themselves in the aggregate-regulating their own lives, resisting their own temptations, subduing their own passions, and voluntarily imposing upon themselves some measure of that restraint and discipline which under other systems, is supplied from the armouries of arbitrary power—the discipline of virtue, in place of the discipline of slavery. We are firmly of the opinion that men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetite. If a local body tramples upon the rights of minorities, if it forces an alien civilisation on a race, a religious community or a class, against its will and inclination, if it deliberately neglects, and systematically ignores, the most cherished rights of a cultural, religious or linguistic unit, it forfeits all claims to respect and obedience, and stands self-condemned. The principle of freedom of local bodies is dependent, therefore, upon two comprehensive provisos :

1. The local body should be efficient, impartial, and honest in the discharge of its duties to the public. If it is inefficient and incompetent, it is the right—nay, it is the duty—of the government to reform the abuses, purify the administration, rectify the blunders, and remove the defects of such a body.

2. Again, if a local body sets at naught the wishes of a linguistic or religious minority, if it abuses its power, and deli-

berately flouts the opinion of a large, respectable and influential body, animated by historical, religious, and racial traditions, which differ from the traditions of the majority community, it is the right and duty of the sovereign body—whether it be the provincial or central government, or the British Parliament—to call it to account, and to see to it that justice is meted out to all sections of the people committed to its charge We belive these to be the fundamental principles of all systems of local government. They are exemplified in the working of local bodies in all European countries Their due observance ensures contentment and happiness; their neglect leads to unhappiness and misery. We need only refer to the grave abuses which have crept into the working of self-governing bodies in America. They have been graphically described by Lord Bryce in his classical work on the American Commonwealth. They furnish an object lesson to the people who ardently advocate unlimited freedom, plead for limitless power, and champion uncontrolled and unregulated exercise of their power by local authorities.

In America these principles have led to the adoption of methods which are diametrically opposed to the conception upon which all self-governments are conducted. The Galveston plan practically supersedes all elective bodies, and reduces the governing body of the city to a Board of five members, presided over by an official known as Mayor-President. The Board has full legislative and administrative power over the city. It arranges for the City departments to be administered, and, by a majority vote, divides the administration of the departments among the members of the Board, including the Mayor Such a plan is the negation of democracy, yet so flagrant and gross were the abuses in which many local bodies indulged, that the citizens rose against them, and voluntarily submitted to this benevolent autocray. The plan has been adopted by about 130 cities in the United States of America. We have adduced this example, not because we wish to deprive the local bodies of any of the powers which they now possess, but because we feel that the abuse of the rights and powers with which they are invested is likely to be attended by

disastrous results in India. We may be allowed to state the fundamental maxim that a government or a local body representing a given area, has a general superintending control over all the actions and over all the publicly propagated doctrines of men, without which it never could provide adequately for all the wants of society; but then it must use this power with equitable discretion, which is the only bond of sovereign authority. For it is not, perhaps so much by the assumption of unlawful powers, as by the unwise or unwarrantable use of those which are most legal, that government oppose their true end and object. There is such a thing as tyranny, as well as usurpation. One can hardly state to us a case for which the legislature is the most confessedly competent, in which, if the rules of benignity and prudence are not observed, the most mischievous and oppressive things may not be done. So that after all it is a moral and virtuous disposition, and not any abstract theory of right, which keeps governments faithful to their ends. Indeed, crude, unconnected truths are in the world of practice, what falsehoods are in that of theory.

While we are opposed to the interference of the government in those spheres which are committed to the charge of these bodies and for which they are legally responsible, we are no less opposed to giving them a blank cheque, and investing them with power, which, however beneficial it may appear to devotees of obstractions and universals, will prevent the government from performing its necessary duties to the public at large. While we respect the autonomy of these bodies, and will strongly oppose all measures which undermine their power, abridge their privileges, or detract from their influence, we are determined on supporting the government in those cases—and they are neither few nor unimportant—which have for their object the development of efficient, honest, pure, and popular self-governing institutions, discharging their duties equitably, and with moderation, respecting the rights, studying the wants and satisfying the desires of minorities of race, religion or language. Such bodies will command respect, inspire affection, foster civic patriotism, encourage local

enterprise, and pave way for a strong, united, compact, and coherent India.

We have deemed it necessary to define our attitude on this intricate, we may even say, elusive question—as our attitude is liable to be—and has actually been—misunderstood. It is an obvious truth that no constitution can defend itself; it must be defended by the wisdom and fortitude of men. We are convinced that civic patriotism—the patriotism for one's town, or locality—is the surest foundation for national patriotism. We begin our public affections in our families. We pass on to our neighbourhoods, and our habitual provincial connections. *These are inns and resting places.* Such divisions of our country as have been formed by habit, and not by a sudden jerk of authority, are so many little images of the great country in which the heart finds something which it can fill. The love to the whole is not extinguished by this subordinate partiality Indeed, it is a kind of elemental training to those higher and larger regards, by which alone men come to be affecting, as with their own concern, in the prosperity of a kingdom so extensive, historical and great as India Lord Salisbury used to say that the choice of a policy is not so important as the methods whereby it is carried out. There is profound truth in this statement. We may indeed go further, and state that the efficacy of a law depends upon the method and manner in which it is carried out The law touches us but here and there, and now and then. Methods and manners are what vex or soothe, corrupt or purify, exalt or debase, barbarise or refine us, by a constant, steady, uniform, insensible operation like that of the air we breathe in. They give their whole form and colour to our lives According to their kinds, they aid morals, they supply them or they totally destroy them.

We may briefly sum up the above by saying that if a local body acts efficiently and honestly, within the sphere of work committed to its charge, and so long as the rights of racial, linguistic and religious minorities are respected, it should be left free from interference by the government. Its autonomy

should be scrupulous respected, its privileges should be inviolate, and its powers should not be impaired.

Having stated these general maxims, let us now turn to the working of local bodies in these provinces, and see how far these conditions are fulfilled. The Municipal and District Boards of these provinces are governed by Act II of 1916, which deals with Municipalities, and by Act X of 1922, which deals with District Boards. We may also mention Act VI of 1920, which deals with the village Panchayats, and with Act II of 1914, which is concerned with Town Areas. We will leave the last two units of self-government out of account, as they exercise neither the powers nor the influence which the Municipal and District Boards command. We are here concerned only with the Municipal and District Boards. In order that the geographical position of our community may be clearly perceived, it is necessary that the relative proportion of Muslims and Hindus in the rural and urban areas should be carefully borne in mind. According to the Census Report of the United Provinces for the year 1921, out of every 10,000 of the urban population, 5,941 are Hindus, 3,741 Muslims, and 318 others. Again, out of every 10,000 of rural population 8,745 are Hindus, 1,174 Muslims, and 81 others. We may take the total population of these provinces and state out of every 10,000 of the population, 8,448 are Hindus, 1,446 Muslims, and 88 others From this it will be clear that Muslim form a comparatively large proportion of the urban population, while in the rural areas, they are only 1,174 out of every 10,000, or nearly 9 per cent. Even in the urban areas, they have a majority over the Hindus only in the towns of Moradabad, Shajahanpur, Badaun and Bijnor They are practically equal in number, though weak in actual voting strength, in one or two other towns. The U. P. Municipalities Act guarantees them separate electorate, and provides an equitable reservation of seats for our community. In the U P. District Boards Act of 1922, separate electorates are provided for the Muslims, though the Muslim members protested then, and have protested since, against the meagre representation which the Hindu Ministers allowed to our

community. We need only refer to the debates on the Bill in the U. P. Legislative Council in 1922 on this subject. That the powers of Municipal Boards are extensive will be clear from the perusal of sections 7 and 8 of the Act; while Chapter V, sections 91-107 of the Act define the powers of the District Boards. We need not enumerate them here, as they resemble the powers enjoyed by local bodies in other countries We would, however, like to draw your attention to two factors which were in our opinion, completely disregarded by the framers of these Acts. The first point which needs your attention is the difference between the rural and urban population of these provinces. It is well known that the urban intelligentsia has played, and will continue to play, a large, we may even say, a predominant part in the political life of this province. It is in the towns that the resources of our civilisation are concentrated; it is the towns that supply the brains, and provide the energy, for all the social religious and economic movements of modern India. Again, the provision of electric light, pure and wholesome water, good roads, well stocked libraries, efficient secondary and technical schools, and the existence of a cultured and leisured society, forming the social and intellectual milieu of the town, act as an incentive to all enterprising, forceful and ambitious men, who leave the countryside and congregate in towns There is consequently a substratum of solid commonsense, a fund of knowledge, and an amount of interest in the problems of these bodies, which are completely lacking in the country. In the latter, illiteracy is still the rule, and literacy the exception; dull, unfeeling, barren ignorance holds sway; the people are still steeped in the customs, superstitions and practices of the past. A movement which may sweep over a town like a hurricane will percolate through the countryside in an attenuated form, after a long, weary and dreary interval. Hence, while the urban voter is qualified to form sound judgment—unless, of course, his mind is warped by the communal virus—on the issues that frequently perplex the honest, though limited, citizens of a petty or a large municipality, the rural voter is unable to grasp the implications, or to understand the

importance, of the problems which a typical District Board has to solve. The result is as might have been foreseen. While the District Boards are invested with large powers, they are not able to perform their functions satisfactorily. We will refer you to the resolutions on the District Boards by the Local Government for the last four years for details of the working of District Boards in these provinces The rural voter has no doubt become conscious of his needs, and naturally and legitimately demands some return for the large amount of land revenue and rent which he pays to the government. He believes that a large part of his hard earned money is spent in the towns; that this 'drain' from the country to the urban areas has pauperised his locality impoverished his people, and deprived the countryside of those amenities which are such a striking feature of an English country house, or an Italian village While, however, he gives vent to his feelings, he is utterly unable to grasp the mechanism or visualise the powers of district boards. We have given these examples to prove not that the rural voter should be deprived of his vote, but that he has suddenly been given powers which it will take him a generation or even more to use rightly. At the present time, he is incapable of taking an active part in those multifarious duties which the history of an English parish or borough, portrayed with the inimitable thoroughness of a Sidney Webb, exhibits. We are of the opinion that the District Boards Act of 1922 invested the rural voter with powers, it conferred on the newly created district boards privileges, which they did not, because they could not, use properly. We have no desire to detail the working of local bodies in these provinces since the reforms, as material exists in abundance in the debates of the local Legislative Councils for the year 1924-28; the resolutions of the U. P. Government on the working of municipal and district boards; the administration reports of each of these bodies; and the account of the proceedings of these bodies in the press. Our statements are based partly on the material we have just cited, but chiefly on our personal experience and the experience of a large number of active influential and representative men, with

whom we have exchanged views, and to whom we are indebted for an objective account of most of the municipal and district boards. We may say of municipal administration, in general, that though some of the boards have displayed admirable administrative qualities, and exhibited an example of efficiency and honesty which might serve as model to many a local body in England, the majority of these bodies have been hampered by lack of funds. The administration of such bodies was, consequently, bound to fall short of the expectations and hopes that had been raised by their supporters. It may be said, generally, that the finances of most of the municipal boards are in disorder, though this is not really the fault of these bodies, as their resources are limited and their duties multifarious. We are of the opinion that if municipal boards are given substantial grants by the government, if the members adhere closely and strictly to the duties for which they have been sent to these bodies—the duty of deliberation, pure and simple, and not of interference in the details of administration—and if the problems of services, contracts and religious rights and duties of various communities are satisfactorily solved, the municipal boards will become the most vigorous, and the most successful instrument for the creation of a strong, virile, and self-reliant nation. Representative government can succeed here only if, and when, it is broad-based on the foundation of vigorous local self-government. We may express the truth of this statement by quoting the following maxim : 'There was a twilight before the dawn, and a dawn before the morning and a morning before the day.'

The problems of district boards are, however, too vast, their resources too limited, to lead anybody to hope of immediate success. We are convinced that it was a blunder on the part of the Hindu Ministers of the day to take practically all the powers of the District Magistrate away, and to invest these bodies with privileges and impose upon them duties, which they could not efficiently discharge. Any one familiar with the working of these bodies will corroborate our statement.

All persons who have taken an active part in the working of these bodies are forced irresistibly to the conclusion that the district boards have proved singularly incapable of solving the problems of rural reconstruction. It is true that they spend, and have spent, a large part of their resources on education; and it must be admitted that a few district boards have shown both energy and enterprise in the construction of roads and bridges, and in the provision of facilities for the countryfolk. Again, we must take into account the fact that these boards are hampered by lack of funds, while their duties are so varied, and involve so great an expenditure, that no board could perform them efficiently. We are aware of the factors we have mentioned above, and have made allowances for them. We are, however, regretfully compelled to state that these bodies have proved, on the whole, incapable of developing our countryside, and of infusing that energy, interest, activity and zeal into the working of their machinery which we expected, and legitimately expected, would result from the passing of the law To begin with the roads have been neglected, and during the rainy season our country-side is like a vast river, flowing majestically over miles of land. Owing to the miserable state of our roads, and the supineness of the boards, industry has recieved a setback, as communication is difficult, if not impossible. The pucca roads which the Government handed over to them are in some places impassable, at other places absolutely dangerous. Sanitation is in practically the same condition It is true that something has been done with the help of the Government; that rural dispensaries have been opened in a number of places; and doctors have settled in rural areas. Even so, the amount of help actually rendered is miserably inadequate for the purpose. The one gratifying feature of the activities of these boards is the expansion of education. This is a work which deserves the encouragement of all patriotic sons of India; but it must be carried on in a spirit, and executed in a manner, which would not wound the susceptibilities of the minority communities. This is, we are sorry to say, not the case. We refer you to the Report on Education in which the

policy of the boards towards Muslims is discussed. Again, the boards have shown themselves thoroughly unfit to deal with the question of appointments. They have shown over and over again how partial, inefficient, incapable, and incompetent they are in this matter. Nepotism, caste-feeling, 'logrolling,' vote-catching and other devices have frequently been resorted to in the filling of vacancies. The question of contracts is as important and necessary as any other question. Yet the fact remains that in the giving of contracts, numerous malpractices are indulged in, the rules framed by the government are violated and contractors do work in a way that is thoroughly unsatisfactory; while public money is wasted, and public rights, convenience, comfort and peace generally disregarded. We may summarise our remarks by saying that the District Boards Act was precipitate; it conferred power on an ignorant and illiterate peasantry, and this power was, and has been utilised, by members of the majority community for the organisation and consolidation of their party, or caste, in the rural areas.

We have referred to the first condition which in our opinion is the *sine qua non* of all government. We have shown that the district boards have not fulfilled the hopes which their champion has raised in the minds of all the people of these provinces. There is another test which seems to us to be as important as the first. This test has reference mainly to the treatment of the Muslim minority in these provinces. We deem it to be of crucial importance. We believe that unless this is fulfilled, all local bodies deserve the severest condemnation. We are conceived that a profound and irreparable mistake was made by the failure of the legislature to provide effective safeguards for our community at the time of the passage of the Municipalities and District Boards Bills into law. We admit that separate electorate was guaranteed to us by these laws. We are ready to acknowledge that this was, and is, one of the means for the protection of our rights. We would, however, like to point out that this is not the only, nor the chief, means for the safeguarding of Muslim interests. It is true that, as will appear

from the Appendices to this report, owing to the lack of separate electorate in the municipal boards before 1916, our community was very unjustly treated; Muslim rights were ignored; and Muslim candidates were invariably defeated in a contest with the Hindus. The figures adduced by us for the year 1915 are given in an appendix to this report. We grant that to this extent, the interests of our community have been safeguarded. We would, however, like to remind you that separate electorate without effective safeguards for the education of our children, the representation of our community in the administration of each body, and the defence of our religious rights, are ineffective. We form only 9 per cent of the rural population of these provinces. How will our community benefit if it is represented by 5 members out of 30 members in a district board. They might—they do—protest against unfair treatment; they might and do actually, on many occasions, record their protest. But they cannot do more. On the other hand, if they are adequately represented on all the committees of all the district boards, and in every department of the board if our children are instructed in Urdu by Muslim teachers; if a fair proportion of Muslims are given contracts; if our religious rights are respected and our educational and other institutions granted fair and equitable grants-in-aid, we shall certainly have achieved that for which we have long fought and are still fighting. Separate electorate, by itself, is barren and hollow. Our experience of the working of these bodies has convinced us that unless it is supplemented by effective safeguards for the defence of our rights, it will be useless. We base this statement not on any metaphysical theory of rights of man, or on a philosophical theory of the state, but on the hard, real, vivid and bitter experience of the work and policy of these bodies which all of us have gained since the reforms. In practically every municipal and district board, the election of the chairman is determined solely and simply by communal considerations. If the number of Hindu voters in a board is greater, the number of Hindu members on that board will also be greater. If the latter is the case, a Hindu chairman

is bound to be elected. This is due to the fact that Hindu members give preference to Hindus. When a local body contains a Hindu chairman, the administration is Hinduised. Very few Muslims are appointed to important posts, and the Muslim rights are ignored. A glance at the figures appended to this report will show that with the exception of a few municipal boards in the Rohilkhand division, where Muslim population is large and Muslim culture has leavened the mass, an overwhelming majority of municipal boards have Hindu chairman, and consequently Hindus have established their ascendancy in these towns and cities. In district board the situation is still worse. Out of 48 districts, there is only one board which boasts of a Muslim chairman. This is the strongest possible testimony to the narrow vision, oblique views, blurred horizon, and distorted conception of local self-government held by the majority community. Indeed, the picture has faded into the canvas, and district boards have subjected our community to a species of a social and political ostracism for which it would be difficult to find a parallel in modern India. For the district boards contain an overwhelming number of Hindus, and are imbued with the idea of Hinduising every department and all services. We would draw your attention to the appendices to our report on Services, which contain a statement showing the number of Muslim and Hindu employees in each department of all the municipal and district boards of these provinces, and show at a glance the unjust treatment which is meted out to our community. The boards have deliberately trampled upon Muslim rights by compelling Muslim children to learn Hindi; and they have violated all rules of neighbourliness, good taste, and camaraderie by resorting to actions which have made an honourable existence for our community impossible We refer you to our Report on Education for details of their policy towards Muslim children, Muslim teachers, Muslim culture and Muslim civilization. We do not exaggerate when we say that the District Boards Act of 1922 established a Hindu Raj in the rural areas. The bitter experience of the Raj in the last six years has convinced us that the only safe,

sound and effective solution for the minority communities in India is the insertion of adequate safeguards for the protection of community in an Act of British Parliament. We are firmly of the opinion that the general formula which we have enunciated in our Report on Safeguards for the protection of our community in the domain of education services, and grants in-aid of education, etc., should be binding upon all local bodies, local legislature, and central legislature. At present the only check on the exercise of the power of local bodies is that exercised by the Commissioner and the Government The decision of the former is liable to reserved by the Government, and as the latter is responsible to Hindu majority which dominates the legislative council, we feel that the insertion of a provision, which we have indicated above, in an Act of British Parliament, is absolutely essential As the Minister in charge of the department of local self-government happens to be a Muslim, any attempt by the latter to reform local bodies to purify their administration, and to make them more efficient, is regarded by the majority of Hindus as a deliberate design by Muslims to curtail the power of these bodies.

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*Review of the Above Facts, Their Moral*

The review of the working of local bodies which we have given above is necessarily brief; we hope, however. the work and policy of typical district boards and municipal boards have been clearly brought out in the examples cited above. The list is by no means exhaustive, and we hope to supplement it by details of the woking of these bodies. We may say that generally, the administration of the bodies has been Hinduised; Hindi language is thrust on Muslim children, and every attempt is made to denationalise them and to cut them completely off from the main stream of Islamic life and thought. Our culture is despised, discouraged, and steadily opposed Our civilisation is held up to ridicule; the greatest, noblest and truest heroes of our community, who built up this mighty land we call India, who imparted to it all the blessings of civilisation,

and all the gifts of well ordered, prosperous, and successful administration are traduced, while those Hindus who rose into rebellion against our rulers, and sullied their hands with the blood of innocent women and children, are revered aad even deified. The Hindus, feeling absolutely secure under the protecting care of British bayonets, use the Municipal and District Boards Act for the consolidation of their influence in the towns no less than in the country, to the fullest extent and trample upon the rights of all minorities. In most of the district boards, deliberate and sustained efforts are made to throttle Urdu, to force Hindi on Muslim children, to Hinduise the administration, to drive out the Muslim contractors, and to establish virtually a Hindu Raj in the rural areas. The Muslims had welcomed the District Boards Act, as Islam is essentially a democratic religion, and our community genuinely desired the extension of reforms to our countryside. We confess we did not know the implications of the scheme. We admit that in the heyday of our enthusiasm for this reform, we forgot to insert provisions for the protection of our rights. Bitter experience of local bodies hss taught us the absolute necessity of adequate and substantial safeguards for our community. Unless these are guaranteed to us in an Act of the British Parliament, we will never consent to any change in the constitution. These bodies alone touch rural and urban life at all points, and are invested with large and important powers. We insist on all local bodies being prohibited from interfering with the right of the Muslims to representation in their administration, to primary education of their children in their cultural language, and to religious freedom. These safeguards should be fundamental, and nobody in India, whether it be a municipal or a district board, or a provincial or central legislature, should be allowed to touch them. Precisely the same safeguards are provided by some of the constitutions cited by us in our discussion of safeguards for minorities. The majority community has not yet developed that spirit of compromise, that capacity for give-and-take, that faculty of reconciling difference, which are the essence of parliamentary government in every part of the world. It is torn up by numerous dissensions in its own

ranks, and is united only on occasions when Muslims' rights are attacked and Muslim culture is opposed. We demand that we should be represented in the administration of every local body, in proportion to the amount of our representation in that body. All those posts should be filled up by the Public Services Commission, after a competitive examination, in which seats are reserved for Muslim candidates.

The present system of Local Self-Government is purely of Western origin and not of indigenous growth. The ancient Hindu system of local government, whatever may be its virtues, is unknown to the people of this age. It has got only a historical value, and does not appeal to the minds of the present generation.

We beg to offer our criticism in the hope that the present system be so improved as to afford equal opportunities and facilities to all communities that have a stake in these provinces.

The Muhammadans form only 14 28 p c. of the population of these provinces, but it cannot be denied that they have played a glorious part for centuries past in the material, social and cultural progress of these provinces A major portion of these provinces is considered to be the heart of the Muslims of India. They were the rulers and the landed magnates of the country in the last century, and they still hold a prominent place in these provinces. Their civic rights should be judged more on these considerations than on their numerical strength.

Both the District Boards and Municipal Boards constituted as they are at present are autonomous bodies. The Government through their agents, the Commissioner and the District Magistrate, exercise some control over their activities. It is in the interest of the public that these bodies should be efficient and free from undue interference on the part of the Government official. But this ideal can only be achieved if these institutions are worked with a true democratic spirit. Unfortunately, in spite of the training that we have undergone in the sphere of local self government, we have not created a true

public opinion which would have been a real power behind these institutions. It has to be admitted as a bitter truth that even educated Indians, at times, when they have to deal with realities of life, exhibit a lack of responsibility and fair play. It is to be regretted that educated people generally speaking do not take so much interest in these bodies as they do in legislative bodies. Under these circumstances it is not surprising that they have not been as successful in their achievement as they ought to have been. No serious attempt so far has been made to educate public opinion, and the result is that an average voter does not understand what his rights and duties are. We venture to submit that even many of the so-called representatives on these bodies do not fully realise the responsibility which they owe to the public. It is deplorable that owing to the apathy shown by educated people towards these institutions they in many cases have drifted into undesirable hands, and have become hotbeds of intrigue, and selfish propaganda. At present our electors are not quite intelligent, and in many cases are ignorant and illiterate. They easily become victims of all sorts of mischievous electioneering propaganda. They are taken to polling booths like innocent lambs, and made to cast their votes in the majority of cases under powerful influences, without for a moment judging merits or demerits of a candidate.

Unless a radical change is made in the qualifications of a candidate, no real improvement can be expected for generations to come.

We venture to suggest that while property and other qualifications for a voter should remain as low as they are at present, the qualifications for membership should necessarily include educational qualifications of a certain standard. It is in the public interest that no one should be entrusted with civic duties who is not endowed with education and character. We hope that by making an improvement in the qualifications of membership we may be able to get better type of men to administer local affairs and thereby improve the working of these bodies.

The powers conferred upon municipal and district boards include many important items of nation-building programme, such as primary and industrial education, public health, etc. If we discharge our duties efficiently we shall thereby be proving our fitness to wield greater powers in the domain of provincial Government. We are anxiously looking forward to a time when our local bodies are purged of their existing evils and transformed into useful institutions for carrying out works of public utility. It has already been pointed out that the Muslims form only 14.28 of the population of these Provinces, and if we look to the population of various districts we find that in the majority of them they are in a hopeless minority. It is only in urban areas, and that too specially in Western district, that they can hold their own. Before the advent of Minto-Morley Reforms, it was impossible for the Muslims to secure their due share of representation on the local bodies. This will be clear from the appendices to this report. A glance at a number of municipal boards which contain a high percentage of Muslims will show that the rights of Muslim before 1916 were not only ignored but actually violated. Having failed to secure their legitimate share in the administration of these bodies they approached His Excellency Lord Minto with their memorable address in 1906, in which they emphasised the desirability of establishing communal electorates as the only means by which they could safeguard their interests.

His Excellency fully realising the political condition of the country, and the reasonableness of the Muslim demands, was pleased to accede to their request. The Muslim deputation that waited on Lord Morley in 1908 reiterated the same demands, and further urged that to confine the election of Muslim representatives to mixed electorates would be most detrimental to the Muslims. We hope that the members of the commission are fully aware by now of the sharp cleavage that exists between the political conceptions of the Muslims and the Hindus. The divergence of opinion does not exist only in the domain of politics, but it is visible in other directions also. Muslims by their birth and traditions are more democratic than their Hindu brethern. The events

that have been narrated above demonstrate fully that the majority community is not gifted with that spirit of toleration and broad mindedness which is essential for all democratic institutions. The rights of minorities are primary, essential, and inalienable. In our humble opinion the future success of the Indian constitution entirely depends on the protection that may be afforded to the minority communities. The problem of the right of minorities is not peculiar to India. It became the subject of serious consideration for the European statesmen who framed the constitutions of the newly established kingdoms of Europe. Protection to minorities in local bodies on linguistic, racial and religious grounds has been granted in the constitution, laws, and regulations made by Poland, Yugoslavia, Czechoslovakia, and other new states The provision for these minorities cannot be amended or abrogated at the sweet will of the majorities.

We beg to submit that in our case the British Parliament should assume the responsibility for the due and proper execution of these protective provisions, and Indian legislatures should not be allowed to interfere with them. All provisions regarding safeguarding of the interests of the minorities should form an organic part of Indian Constitution. It is due solely to communal electorates that Muslims can return their genuine representatives in local bodies

The example of Bihar is conclusive on the point. Here even the seats are not reserved. The result is that during the last two elections to the local bodies 27 out of 43 boards were completely unrepresented by the Muslims. The results of joint electorate without fixed reservation of seats in our own province point in the same direction. The University, the land holders' constituency, the Taluqdars' constituency, the Indian Chamber of Commerce are all represented by members of the majority community The rights of the Muslim minority which have been guaranteed by responsible ministers of the Crown, and embodied in legislative enactments, should never be taken away from them till the spirit of confidence, toleration and trust between the two great communities of India is fully

demonstrated by their mutual dealings But that time has not yet arrived.

We are confident that the Royal Commission will fully realise the peculiar Indian conditions and would not suggest a modification in the existing arrangements which may jeopardise the future of India.

We beg to suggest a few points for the consideration of the Commission with a view to making some improvement in the system of local self-government.

1. The strength of the Boards in many cases is not quite adequate If the number is increased we are confident that the people will take more interest in the Boards It may also afford an opportunity for at least some good people to be elected. We hope that if the number is increased it may on the whole be conducive to public good

2. The Chairman of every Board should alternately be a Hindu and a Muslim There are 92 Municipal Boards and 48 District Boards in these provinces. The Chairman of most of Municipal Boards are Hindus, and there are Municipal Boards where a Muslim has got a chance of being elected a Chairman. The Chairman is the chief controlling authority in the affairs of the local bodies. The fortunate result of this is that Muslims are not adequately represented in the administration of local bodies, and owing to the absence of their voice in the inner working of these institutions they are frequently subjected to all sorts of hardships. In the case of District Boards the case in still worse. In the whole of U P., i e., out of 48 District Boards, there is only one Muslim Chairman and 6 Muslim secretaries. As we have pointed out above, in the services ever since the non-officials have taken the place of the official Chairman, the gradual elimination of the Muslim element has been going on. Muslims occupy only unimportant places in the administration, such as petty clerks and menial servants. This state of affairs must be reformed. The question of posts and services is not a question of 'loaves and fishes', but is a matter of vital importance to the well-being of the

people, because it is the permanent services that wield the real power and responsibility in the due discharge of civic duties.

3. Chairman should be elected only for one term, and should not be eligible for the next term in succession. The system of Alderman should be introduced, and Chairman should always be elected from among the aldermen or ex-chairmen. In many important corporations of civilised countries the mayors are generally elected for a term. In India generally a Chairman keeps an eye on his next chance and at times would maintain popularity at the sacrifice of efficiency. If he is not eligible for the next term, it is hoped that he would exercise his powers more independently

4. The Board should have only deliberative and legislative functions, and not executive powers. The latter power should vest in the executive officers assisted by the various heads of the departments The boards, at time, create insurmountable difficulties in the smooth working of municipal machinery, and instead of discussing public matters and laying down broad lines of policy interfere in the routine work of departments and hinder progress.

5. Certain superior posts under the boards should be provincialised. It will give them a security of tenure and liberty of action. Under the present system, however qualified and experienced the executive officer or secretary may be, he has to keep his Chairman and other members in good humour, and has to carry out their wishes, whether good, bad, or indifferent. Failing that his position becomes untenable. With the changing boards and their chairmen, the favourite of yesterday become the suspect of today.

6. A Provincial Commission consisting of not less than three members be constituted. This Commission should supervise and control the services under the local bodies and the Government more or less on the same lines as the Indian Services Commission. It should be given powers to hear appeals of the aggrieved servants, and it should make rules and regulations about the qualifications and other conditions

affecting the municipal services.

7. *Control over local bodies.* In every civilised country some sort of control over the local bodies is maintained by the Government. We are not of opinion that the control of the Local Government should altogether be withdrawn, but at the same time we suggest that the time has arrived when local bodies should enjoy more freedom in the discharge of their duties, and only a minimum control in important matters such as finance and questions affecting the divergent interest of the communities be maintained through the Collector of the district. While in matters affecting broad policy and general control the boards should be placed under the control of a local self-government board that should be constituted under the minister of department. It should include besides the Minister, a Council Secretary, 3 members of the Council possessing sufficient experience of local self government to be nominated by the government, and provincial heads of the such departments as are under the local bodies.

8. *Inspections of local bodies.* In our opinion it is absolutely necessary that heads of all such departments as are under the local bodies should periodically inspect the working of such departments. They should, on the one hand, submit their report to local self-government board on the working of these bodies, and on the other hand should advise the local bodies on the spot on those questions which in their opinion deserve their special attention.

9. Our community should be represented in the local administration of each body. The extent of its representation in the services of these bodies should be in proportion to its representation in that body.

10. The Urdu language should be guaranteed in the proceedings of the local bodies and in the schools and offices of local bodies.

11. Grants-in-aid to Muslims should be given according to their representation in these bodies.

12 Committees of the Boards should be elected on the system of single transferable vote, with a view to giving a chance to the minorities to secure proportional representation on these committees.

13. No resolution or motion or any part thereof affecting any community, which question is to be determined by the community in the elected body concerned, shall be passed, if three-fourths of the members of that community oppose the resolution, or motion or part thereof

14. The following fundamental safeguards should be inserted in a parliamentary statute and no local body or legislature in India should be allowed to touch them. These safeguards deal only with local bodies. For a fuller discussion of safeguards, reference may be made to the sections of this book, that deal with 'Safeguards for Minorities', and the 'Working of Safeguards '

1. Separate electorate in local bodies.
2. Representation in the administration of these bodies in accordance with the formula, enunciated in No. 9, above.
3. Protection of the Urdu Language, and instruction of Muslim children in Urdu, provided they form a certain proportion of the population.
4. Exercise of religious rights, provided the laws of the state are not affected thereby.
5. Grants-in-aid to Muslim institutions, in proportion to their representation in each body.

15. The Government has a right, nay it is its duty to intervene if a local body is inefficient, or violates the rights of minorities. The Collector of the district should not be merely a critic, but should help the Boards with his advice.

16. Muslim contractors should be given a substantial percentage of contracts by all bodies.

17. All the regulations and resolutions which are repugnant

to any one of these provisions should be null and void to the extent of such repugnancy.

*Summary of the hardships to which Muslims are subjected by local bodies in these provinces*

We have already dealt with the policy of various boards in the early part of our report; here we summarise the policy of various bodies under appropriate headings We have not deemed it necessary to give details of all the reports we have received from Muslim members of local bodies in these provinces, as this would have swelled the size of the memorandum The reports that we have received throw a powerful searchlight on the working of these bodies, and reveal a state of affairs which it is difficult for us to describe. We hope to be able to supply complete information through the witnesses deputed by our committee for this purpose

*Contracts*

In almost all the Municipal and District Boards the number of Mahommedan contractors in proportion to their population is very low. There are several boards where there is not a single Mahommedan contractor, for example, the Almora Municipal and District Boards. Even those Mahommedans who have been enlisted as contractors in the office of local bodies are not generally given contracts for works, and, if given at all, the quantity and quality of the works given to them are miserably small.

*Slaughter House*

Since the advent of the non official Chairman in the Municipal and District Boards, efforts are constantly made in almost all the boards to stop the slaughter of cows. In some places such as Kashipur, though the Mussalmans constitute about one-half of the total population yet they are not given permission to sacrifice a cow even on the occasion of 'Bakr Id'. If a Mahommedan does such an act in the performance of his religious duties, he is subjected to all sorts of worries

and troubles and is seriously dealt with by his Hindu brethren. At some places the Burma meat trade has been totally stopped, which has caused a considerable loss to the business of Mussulmans carrying on meat trade viz., Jhansi, and Panwari. Meat shops, though allowed in civilised countries, have been closed at many places in these provinces. In Cawnpore Municipality as well as in other municipalities licence is not given to Mahommedans to open meat shops even in Muslim quarters. With a view to hampering the trade the license fee on hide and bone godowns has been intolerably increased (*e.g.*, Jhansi Municipal Board).

*Services*

The Hindu community being in an overwhelming majority in almost all the Municipal and District Boards, creates difficulties in the way of Muslims, who wish to enter services under local boards. There are some boards where neither in the school staff nor in the offices a single Muslim servant is to be seen. For instance, take the case of Ballia where there is no Mahommedan in the office of the District Board. Details will be found in the Appendix to the Report on services.

In Nainital—the summer seat of U P. Government—all posts under the District Board are given to non-Muslims, and it was with the greatest difficulty that of late a Mahommedan clerk has been appointed in the office.

Superior posts are not usually given to Mahommedans, and with a view to keep up the show that Mussalmans are employed in the service, a few menials such as peons, water-carriers and the like are taken in.

Out of the 12 officials in a big municipality like Cawnpore, there is only one Mahommedan, a tax superintendent. Another example of the Hindu fairplay is to be seen in the Jhansi Municipal Board, which has passed a resolution that no candidate will be appointed to any vacancy who is not well versed

in Hindi language. This is a device to shut out Muslims from the Municipal service.

*Sanitation and Public Conveniences*

The Hindu community is so prejudiced against the minorities and specially the Mahommedans that it cannot see them enjoying the privilege of good roads, and light. At certain places steps are taken for the cleanliness of the Hindu quarters alone. Hindu streets are well paved and well lighted, while Muslim quarters are either totally ignored or not properly attended to. Money granted for the improvement and construction of roads and drains is spent lavishly on Hindu quarters. In short, the majority community tries its best to provide the amenities of life for its people, and ignores the Mahommedan claims with impunity.

From the perusal of Appendix to this Report it will be clear that the Muslims are not only unfortunate in not being selected as Chairman of District Boards, but they are not even adequately represented amongst the nominated members. The strength of the majority community can be seen from the figures when we find that out of the 48 district boards in these provinces there are only 9 Muslim chairmen of the Public Works Committees.

In the case of dispensaries the Hindu towns are accorded a preferential treatment, and the majority of the medical officers appointed by the local bodies are Hindus. Complaints are not uncommon that these Hindu doctors pay more attention to Hindu patients than to unfortunate Mahommedans. Sanitary Inspectors in the Health Department of the Boards are generally Hindus, who at times ignore the sanitation of Muslim quarters. There are places where no Mahommedan is employed in this department, for instance, Bara Banki District Board.

*Education*

The subject of primary education has been fully dealt with

separately, but at this place it will suffice to show that in all the District Boards there are only 6 Muslim Chairmen of Education Committees. The figures of the Municipal Boards are not available, and therefore cannot be pointed out with certainty. Details will be found in the Appendix to this Report.

### *General*

Such is the highhandedness of the Hindus that the proposals sent by Muslim members are not placed before the Board promptly, and even questions put by Muslim members are not answered There have been cases of this nature at various places

In the Cawnpore Municipality (which boasts of an enlightened and educated chairman), the Mussalman applicants have been prohibited from constructing mosques on their own ground, while the Hindus are allowed to construct temples on public lands, in spite of the objections raised by the Mahommedans

Muslim graveyards are absolutely neglected by the said bodies, while large sums of money are spent on the ghats where Hindus are cremated

In certain places applicants are required to put in applications in Hindi character, and applications written in the Urdu script are not accepted.

Differentiation is visible even in the assessment of taxes in certain places. Mahommedans are heavily assessed as compared to Hindus. And where it suits the political convenience of the majority community, the tax on Mussalmans is reduced in such a way as to disqualify them from exercising their votes for the local body.

### *Town and Notified Areas*

The case of Mahommedans in Town and Notified areas is still more deplorable than that of the Municipal and District

Boards. They are not adequately represented in the notified and town area committees, because the election to these bodies is carried out by means of joints electorates. At many places though the Mahommedans predominate in the population, yet the number of their representatives in the Town and Notified area committees is insufficient as compared to Hindus. We may summarise the information at our disposal by saying that out of the total population of town areas of about 11 lakhs, of which Muslims constitute nearly two-thirds, their representation is only 55 out of the total number of 234 members. If we take population as the basis of our calculation, our representation ought to be at least 80 out of the total number. We are strongly of opinion that adequate and effective representation should be secured for us in all the town areas of these provinces.

*Languages*

A number of bodies have passed resolution making the use of Hindi in Nagri script compulsory in the proceedings of these bodies. For instance, Shaharanpur, Muzaffarnagar, Almora, Garhwal, Nainital and Rae Bareli have passed resolutions against the wishes of Muslim members, and in spite of their strong protests. The District Boards of Banda and Hamirpur adopted the practice without passing any resolution. Moreover, Muslim boys are compelled to learn Hindi in primary schools maintained by local bodies. This is a violation of the fundamental rights of minorities

Statistics on the subjects discussed above will be found in the Appendix to this Report, as well as to the Report on Services.

* * *

We have deemed it necessary to discuss the question of the rights of minorities at some length, as otherwise, our position is likely to be misunderstood. We do not want and have never desired, the establishment of an *imperium in imperio.* We are the children of India, sharing in the sorrows, and glorying in the achievements of our country. We have

constantly desired, and ardently advocated, constitutional advance of our motherland. We believe in the ideal of a united India, united in her aims, inspired by a noble and moral purpose, and realising her destiny in those realms of Arts, literature and government, which her past achievements and her vast reservior of intellect, character, and tradition, lead us to expect. We believe that this can be achieved only by working whole heartedly for the ideal by which Indians of all shades, parties, classes, communities, races and creeds are animated—the ideal of responsible government in India. There is our goal, the aim at which all of our efforts are directed, and for which every one of us is striving. We are in complete agreement with the leaders of other political organisations in India on this matter, as we feel that this is the only solution of problem which, however intricate, complex and elusive it might appear at first sight, is capable of a satisfactory solution. Indeed we see no prospect of any lasting settlement until this question is properly settled. We shall be false to the trust reposed in us by our countrymen, false to the glorious tradition, and brilliant achievements of our race, if we slacken our efforts for the realisation of the aim which was so nobly expressed in the remarkable declaration of Mr. Montague in August 1917, and in the preamble to the Government of India Act. We believe that only by working consciously and deliberately for this end can the legitimate, reasonable, and, we may add, natural aspirations of our countrymen be satisfied. We wish to remove another impression which has been created in the minds of a number of people Separate electorate is not our ideal; it is a child of necessity. We believe that the time might come when our community might reconsider its policy. We hope that an occasion or occasions might arise when the need for this safeguard might no longer be felt. But this will depend upon the growth of the feeling of trust, confidence, and toleration between the two great communities without which no government is possible. We would, indeed, be justified in saying that so far as the political programme of our community is concerned there is no fundamental difference between the

ends pursued by us and those by other great communities and parties in India.

While, however, we agree with the aims and objects of other parties, while our ideal is, in the words of John Milton, a puissant nation, vigorous, united, and influential, administering her own affairs, managing, solving, aiding, planning, and contriving her domestic problems, unaided and enjoying all the powers, privileges, rights and prerogatives, which British Dominions enjoy, we differ from the parties led and controlled by the Hindus in our manner and method. We believe that the aims and methods pursued by organisations controlled by the majority community are so radically opposed to ours that there is no other alternative for us than opposition. The logic of facts has compelled us to reconnoitre the ground before we proceed further.

We have no desire to detail the reasons which have led us regretfully and sorrowfully to reject the panacea of full dominion status which has been prescribed by certain section. It is sufficient to state that the hopes and expectations that had been raised in the minds of the Muslims have not been realised; that the vessel which was launched in beautiful smooth waters by that skilful mariner, Mr Montague, has encountered rocks and shoals which had not been foreseen. The working of the Government of India revealed tendencies, its logical application exhibited forces, which had not been perceived before. The Act gave, for the first time, power to the legislature. It is not our purpose here to examine whether the power was great or small. It will suffice to say that the legislatures were invested with rights which, if skilfully utilised, and tactfully used, were bound to render their influence supreme in certain fields. The form it ultimately assumed was the type to which it was expected to conform. It was led in the spheres of transferred departments by Ministers who were the leaders of parties in the Legislative Councils. It followed the policy, and formulated the decisions, which ministers advocated. We do not, indeed, we cannot, object to such a plan, as it is of the essence of

parlimentary government that the majority must rule the minority. We would, indeed, have hesitated to refer to it, but for the fact that from it flow consequences which had far-reaching effects on the relation of the two communities. If the parties in the Council or outside had been based on community of economic interest, or political creed, they would have consolidated parliamentary government, vitalised our political life, inspired our endeavours, and developed among us those sentiments of co-operation, trust, and toleration to which the Muslims, whether as rulers of this province for over seven centuries, or as loyal subjects of His Majesty the King Emperor, have always attached the greatest importance. But it became immediately clear to the plainest understanding that the working of the legislative machinery showed the line along which the two communities were moving

The voting power possessed by members of various communities was utilised for expressing in a concrete and visible form the demands, the desires and the aspirations of particular communities Power, which had formerly belonged to the government as a whole, was now divided For dyarchy involved not merely the division of government, but also a division of the powers and influence of the government.

It gave virtual control over the policy and, in some cases, the administration of such important subjects, as education, industry, local self-government, agriculture, and public health. The majority community promptly used its opportunity, and passed a series of Acts in the local legislatures which have left a deep impression upon the minds of all its residents, and produced effects, whose intensity and volume are still felt by the Muslims. The first, and, in some cases, the most important effect of this change was perceived in the sphere of education We refer you to our report on education for details of these measures. Our position is, however, liable to be misunderstood, if we do not define our attitude towards these changes. We are in complete sympathy with the aims which underlay the reforms advocated by the Sadler Commission; nor do we object to the principles that guided the

passage of the U.P. District Board Amendment bill into law. We are not, and have never been opposed to the liberalising of local bodies, with proper safeguards for minorities, and the reorganisation of our educational machinery on rational basis. We are compelled, however, to point out that the manner and method in which these reforms were carried out tended to place our community to a serious disadvantage. We may illustrate our remarks by referring you to the working of the Allahabad and Lucknow University Acts. The Sadler Commission had laid down safeguards for the protection of Muslim interests, and its members had unanimously proposed measures for the protection of Muslim rights, yet, while the basic recommendations of the Commission were embodied in various University Acts, the proposals that guaranteed protection to our community were deliberately left out. The result is that Muslims have virtually disappeared from the important bodies and departments of teaching of the two universities. Precisely the same policy was pursued in the domain of secondary and intermediate education. The Board of Intermediate and High School Education is the outcome of the recommendations of the Commission; it was designed with a view to raising the level both of university and of secondary education. The Commission had suggested safeguards in their scheme of Intermediate Education which were, and are, in our opinion insufficient, inadequate, halting, hesitating, meagre, and unsatisfactory. Yet while all the important recommendations of the commission concerning Intermediate Education were embodied in the U.P. Intermediate Education Act of 1921, their meagre proposals for the protection of our interest were studiously ignored. The effect of this policy are palpable. Both Secondary and University education have been Hinduised; and our community has ceased to play the part, and to exercise the influence, which it has continuously and successfully exercised since the beginning of Western education in these provinces.

In primary education, too, the consequences of the policy pursued by the new regime have been disastrous. The U. P. District Board Act of 1922 constituted District Boards on a

purely elective basis, and invested them with extensive and far reaching powers The Muslim community supported the Bill, as it thought, and still thinks, that experience of local self government is the soundest foundation for constitutional advance. We believe that it is by participating in the affairs of the locality that the average citizen can understand the affairs of his province. We are of the opinion that contact with the hard realities of life, the administrations of a large or small area, presenting many problems of varying degrees of complexity, and successful handling of men, of problems and of things engender a spirit. and develop a capacity, which are of the utmost value to all Indian citizens. It must be confessed, however, that the way in which Muslims have beentreated by these Boards has been most unsatisfactory, and grossly unjust, and imprudent. The non-Muslims have an overwhelming majority in every district board, while they dominate eighty five per cent of the municipal boards. If the majority community, instead of trampling on our rights, had created a spirit of confidence and produced a feeling of trust, the machinery of local self-government would have run smoothly on. We are regretfully compelled to say that this is not the case. It is our painful duty to bring to your notice the serious, glaring, and gross acts which a number of local bodies has perpetrated on the language, education, culture, religious rights, and education of Muslims. As primary education is in the hands of local bodies, they mould the policy, and guide the current of educational efforts and enterprise. The result is perceptible in the discussions in the U. P. Legislative Council in the years 1924-28; the resolutions passed by Muslim educational and other conferences, the memorials presented to the government, and the Governor, and the various committees on primary education appointed by the Government, since 1924. They have been summarised in our reports on education, and we need only refer to them here. We may say briefly that the special Muslim school that had been established by the Government in 1914, have been starved; the number of Muslim teachers has been reduced; applications of Muslim schools for grants are generally

rejected; the special measures designed for the improvement of our lot have been dropped, while our moderate, reasonable and legitimate requests for the improvement of the education of our boys are either met with a blank refusal, or with active hostility. Our report on local self-government supplies an amplitude of material in confirmation of our statement.

We feel that the maintenance of our culture depends upon the preservation of our language, the Urdu, which is the Court language of these provinces. It is the medium of instruction of our boys; it is the instrument whereby our historical, cultural and religious traditions are preserved. Yet many boards have not hesitated to pass resolutions making Hindi compulsory in the proceedings of these bodies; forced Hindi on Muslim children, and reduced the number of Urdu knowing teachers. They have invaded rights which Muslims had enjoyed from time immemorial; rights which have been guaranteed to them for generations; rights upon the exercise of which depends our existence as a community. They have in many cases prohibited cow killing, in other cases prohibited the construction of slaughter houses, while in a number of cases they have deliberately left Muslim streets and localities inhibited by Muslims uncared for.

In services, too, the same tendency is at work; the same instinct of acquisitiveness is in active operation. This will be clear from our report on Services. As you are well aware, just after the reforms, the process of Indianisation began in all the services maintained by the Government and local bodies which has continued in full vigour since. Our experience of Indianisation is that members of our community find it difficult to secure positions, they find it impossible to get appointments, commensurate with their ability and experience. Capable, efficient and trained Muslims already in the service are either dismissed or degraded; offices are filled on communal and caste grounds, and our promising young men find the gate of admission to the most of the offices barred and bolted. The question of service is not merely a question of loaves and fishes, but also a question of power, of influence, and of

prestige. In India the worth of a service is not measured by the amount of pay which an official draws, but by the influence which he wields, the power which he exercises, and the opportunities for service which he enjoys. We feel that our life as a community, our individuality, nay our economic and political existence is dependent upon the representation of our community in the administration of our country.

We have deemed it necessary to give a brief account of the difficulties by which we have been faced in these provinces since the reforms, as otherwise our representation is liable to be misunderstood. We may say, very briefly, that the reforms invested the legislature with extensive powers; and this power was utilised by the majority community in the spheres of education, local self-government, services, and other transferred departments for the advancement of their own ends. The University and the Board of Intermediate education were Hinduised; primary education was controlled by Hindus; while in the local bodies where the Hindus possess an overwhelming majority they acquired practically a monopoly of power. They utilised these opportunities for the benefit of their community. The character of the administration was transformed, and Muslims found themselves, and now find themselves, bereft of many of those opportunities of educational, social and intellectual advancement which they had enjoyed for centuries, and which had been solemnly promised to them. There was a fight for power, and the community with the largest vote and the greatest number, monopolised all the spoils of victory.

The experience of the last eight years has convinced us of the absolute necessity of safeguards for our community. We feel that unless our interests are effectively safeguarded, we will disappear from civic life of this province, our culture will be destroyed, our religious rights will be violated, the education of our children will be emasculated, while our economic and political existence will be exposed to serious, alarming, and imminent risks.

Under these circumstances, we are irresistibly forced to the conclusion that the only effective means whereby our rights can be prescribed is by the deliberate insertion of fundamental rights in the new constitution of India in the clearest language. We are strongly of the opinion that these safeguards are essential to our existence, and without them it is impossible for us to accept any constitution Bitter experience of the working of the reform scheme has convinced us of the need for these safeguards. That our demands are not unreasonable will be clear from the various provisions contained in the constitutions of some of the new states cited above, and from the practice of old states like the Swiss Republic where minorities of race, language and religion live happily together. The U P. Muslims have played a brilliant part in the development of these provinces. It was their driving power, energy, and statemanship which evolved order out of chaos, and organised institutions which are the foundation of the modern system of British administration in India. Their political importance was recognised by the Government of India in their fifth Despatch, dated April 23, 1919, in which they acknowledge that 'the census strength of the Muhamadans by no means corresponds to their political strength. In Bengal and Assam they are politically weaker than their numbers would indicate; while in the United provinces with 14 per cent of the population they are incomparably stronger than in Bihar and Orissa with 10 per cent. Past history and the presence of Muhamadan centres count. We may quote here Lord Minto's reply to the demand of Indian Muslims : 'And you justly claim that your position could be estimated not merely on your numerical strength, but in respect to the political importance of your community, and the service it has rendered to the Empire. I am entirely in accord with you ' Lord Morley's reply to the deputation of the London Branch of the Muslim League is also clear on the point.

We wish to make it perfectly clear that we can never, under any circumstances, accept any constitution which does not guarantee to us these rights; and any scheme in which our political status, religious freedom, and economic life are

placed at the mercy of the legislatures dominated by the majority community, or other elective bodies whose policy has been clearly expressed in their unjust treatment of our rights, can never be acceptable to us. We are resolved upon sacrificing all we have got, our lives and our property for the attainment of this object. We will oppose all attempts at our denationalisation : we will resist all schemes that do no guarantee to us our right

We believe the following to be essential safeguards for the protection of our community, and we regard them as an indispensable preliminary to any scheme for the constitution of India.

The safeguards are :

1. Representation of our community by separate electorate in the U P. Legislative Council as embodied in the Government of India Act of 1919. The Act embodies the solemn, clear, definite and unambiguous pledge which the British public gave, through the Imperial Parliament, to the Muslim community. That pledge, we hope and believe, the British Parliament will redeem. Separate representation in the legislatures has been guaranteed to us by all responsible British statesmen. We are convinced that these promises shall be kept.

2. Representation of our community in all local bodies by separate electorate.

3. Separate electorate in the Universities, the Board of Intermediate and High School Education and other elective bodies created and controlled by the legislature. The amount of our representation in these bodies should be determined by the amount of our representation in the legislative council.

4. Representation in the public services, whether maintained by the Government or local and other autonomous bodies. The amount of our representation should in no case be less than thirty three per cent in each grade of every

department, maintained by the Government. In the local and other autonomous bodies our representation in the administration should be in proportion to our representation in that body.

5. Representation of Muslims in the Cabinet should in no case be less than thirty three per cent.

6. Adequate safeguards for the Urdu language in Courts, Government departments, educational institutions, local and other elective bodies created and controlled by the legislature.

7. If three-fourths of the members of a community object to the introduction of a Bill, resolution or motion, on matters affecting the religious or customary rights, of our community, in the legislature or any other elective body, such a bill, resolution or motion, shall not be allowed to be moved, discussed or voted upon in any such body.

8 Thirty three per cent of all grants-in-aid of education, religion, charity or for social purpose, whether given by the Government, or a local self-governing body, to be reserved for Muslim institutions

9. Full religious liberty, liberty of belief, worship, observances, propaganda, association shall be guaranteed to our community. The general laws of the State shall remain unaffected thereby.

We regard these rights to be fundamental. Unless and until we are granted those safeguards, our community will determinedly oppose all schemes for re-arrangement of the constitution. We are strongly of the opinion that no legislature, and no administrative or elective body in India should be given the power of modifying any of these safeguards. We do so because we believe, in the words of Lord Bryce, that though experience shows that no nation has ever been cool enough and wise enough to dispense with some restraint on its other impulses, the tide of fatalistic faith in the justice of the majority tends in nearly every country to sweep away such checks as exist, replacing them by no others; and the

people who most need to be protected against themselves are the least disposed to provide such protection. We believe that the only effective way of realising the object is by excluding these safeguards from the range of the functions of the legislatures and other elective bodies. The United States has rivalled Rome in the pains taken to divide and subdivide power among various authorities, and in the variety of restrictions imposed upon them. We believe that nearly every successful government of modern times resorts to such system of checks and balances as will restrain the impulses, and moderate the desire of the majority to trample upon the rights of the minority In India the need for such a system is greater, and the necessity for caution, circumspection, compromise, and sweet reasonableness essential. We are convinced that if the legislatures in India and other bodies which are dominated by the majority community, are invested with the power of altering or repealing the laws or rules which embody these safeguards, they will either be scrapped, or so modified as to become absolutely useless.

Hence we have used the word 'fundamental', not in the sense that the British Parliament will not, or cannot, modify them—we know that in the words of De Lolme, the British Parliament can do every thing, except make a man woman, or a woman, man—but in the sense that the elective body in India, whether a legislature or a municipal or district board, could touch them. We therefore strongly recommend that the fundamental safeguards should be embodied in the new constitution of India. The safeguards should be expressed in clear, unambiguous terms, and the Act should contain positive instructions to all bodies in India, and should be binding on everybody. The method to be adopted will be the same as that used by the makers of modern constitutions. We need only refer to the new German Constitution, of which one part deals with the powers and duties of various bodies, and the other part with fundamental rights. As we have said above, nearly fourteen powers have solemnly pledged the observance of safeguards, which they have incorporated in their constitution. We want to make it clear that the rights

which we claim are meant to be applied, and should be applied, to concrete details of everyday life. They are not mere metaphysical abstractions, but based upon bitter experience of the reformed regime during the eight years. Any action by anybody in India that is inconsistent with these safeguards will be regarded by us as destructive of our culture, religion, language, and political existence. We can never reconcile ourselves to any arrangement which does not confer upon us unequivocally all the rights we claim. They are primary inalienable and essential

We are firmly of the opinion that upon the Secretary of State for India should be imposed the duty of enforcing our rights, by making rules and regulations under the rule-making power expressly conferred upon him under any Act that might be passed by the Parliament for the new constitution. We need not indicate the method or the manner which he might adopt to effectuate our proposals. We would like to state that in our opinion it would be better if the Secretary of State is given this power, as the local and the Central Government will shrink from the task of adjudicating upon disputes in which the passions, interests and prejudices of various communities might be keenly aroused. We will summarise "our policy by reiterating our proposition:

(1) These safeguards should form an integral part of the new constitution of India

(2) All acts of local and central legislatures and other elective bodies, and all rules which are based upon the rule-making power expressly conferred upon these bodies by virtue of any act passed by any legislature in India, which are repugnant to these safeguards, shall be void to the extent of such repugnancy.

(3) Lastly, rule making-power should be expressly conferred upon the Secretary of State under a statute of the British Parliament, for the purpose of enforcing these safeguards.

The next question which we have to answer in this connection is, How are these safeguards to be enforced in India?

According to Lord Bryce's work, *The American Commonwealth*, seven States of the United States of America have empowered the Governor or Legislature of a State to require the written opinion of the judges of higher State Courts on points submitted to them. There exists a similar provision in the Statute of 1875, creating a Supreme Court for Canada, while the Home Rule Bill introduced in the House of Commons in 1886, contained Section 25, whereby the Lord Lieutenant of Ireland or a Secretary of State was empowered to refer a question for opinion to the Judicial Committee of the Privy Council. In the Home Rule Bill of 1893, this provision reappeared in the modified form of power to obtain, in urgent cases, the opinion of the Judicial Committee of the Privy Council on the constitutionality of an Act passed by the Irish Legislature. According to Article 13 of the new German Constitution, 'If there is a doubt or difference of opinion as to whether a provision of a State law is consistent with the Federal law, the component Federal authorities may appeal for a decision to the Supreme Federal Court, in accordance with the more detailed provisions to be prescribed by a Federal law.'

Lastly, reference may be made to Section 93 of the British North America Act of 1867. Under this Act the minority if it feels that the provision of the constitution has been violated, may appeal to the Governor-in-Council The latter may either decide it himself, or refer it to the Supreme Court for decision. We have deemed it necessary to detail these provisions, as we think that the position of the Government, and even Gover nor General, is likely to be rendered exceedingly difficult if question concerning the treatment of minority communities by various elective bodies are frequently raised. We wish to make it perfectly clear that we do not want the Governor to take this responsibility entirely on his shoulders. In case where injustice is perpetrated by a local body and where the letter of the law is openly violated, it will be the duty of the

Government to take prompt steps, and mete out suitable punishment We think if the majority of Muslim members of any elective body or legislature make a representation on the violation of any of these safeguards, or against any measure introduced in such a body and, request the Governor in-Council to uphold the law, it should be the duty of the Governor to decide on the question, and to declare whether any one of the safeguards has actually been violated or not. We do not want to bind the hands of the Governor-in-Council. There are various courses open to the Governor-in-Council. He may, of his own accord, prohibit a recalcitrant body from persisting in its policy of folly and injustice; and he shall, on the representation of the majority of the Muslim members of legislative council, the Central legislature, municipal and district boards, or other elective bodies, take action on any measure which appears to violate any one of the fundamental safeguards. In the latter case the Governor-in-Council may, if he deems fit, refer this matter to the full bench of five judges of the high court of the province for decision, or he may decide it himself. If any local self-governing body is guilty of the violation of these safeguards, it will be liable to dissolution

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## THE POSITION OF MUSLIMS IN THE ADMINISTRATION

In no country in the world are the services as important an agency of public good as they are in India. Nowhere are the public servants, under the government as well as local bodies, so almost exclusively looked up to for guidance, for control, and for active help as in India. In the modern political organisation, India still affords unique opportunities to the public servants of contributing to the growth, the prosperity, the peace and the happiness of the masses as much of the classes. No other agency is here in such intimate living contact with the masses, and has such an overwhelming share in the shaping and control of their destiny. For good or for evil, the services have, even since the uprooting of indigenous self governing

institution two or three centuries ago, directed and controlled the nation's destiny, and executed its policies almost exclusively. And for another a quarter of a century at least will this continue to be so, while India laboriously and with many a lapse and travail accustoms herself to those new and modern methods of Swaraj which are being fast evolved or imported.

The struggle and the bitterness about representation of the different communities in the services has thus a very much deeper meaning and a nobler significance than merely that of loaves and fishes. Whatever the ostensible 'constitution' or policy established, a very great deal does, and for decades to come must, depend on how and who directs and operates it in actual working. The number of public officials may constitute only a microscopic minority of the total population, yet, it is because they are virtual directors of the nation's destiny that Britons and Indian—Hindus and Muslims—are competing so eagerly for their due share in them. We are free to acknowledge that the Reforms have by bringing India face-to-face with the problems of self-government precipitated the struggle for powers and emoluments of office and, in fact, for control of the entire machinery of the Government. As the process of withdrawing is steadily in operation, as more and more people new to power come into sway, the more will the experience and training, the technical skill and administrative efficiency of officers be effectively used and valued. As we approximate more to Swaraj and real self-government, the more will the influence of these guides, philosophers and friends of the public bodies and leaders increase in the fist instance; and the more will there be action and reaction of opinion and actions, public and official.

It is by way of recognition of these factors in present and recent politics that the Lee Commission has emphasised the need for Indianisation of the Services, and as a present ideal fixed the percentage of Indians in the Superior Services, at 50%, in the I. C. S., 50%, in Police, 75%, in Forest, 60%, in Irrigation, 50%, in Customs, 75%, in the Telegraph and Rail-

ways, 75%. In actual working out, however, and because of not fixing higher ratios of immediate recruitments, these percentages are nowhere established. Government of India had to admit in 1924 that the percentage of Indians in all Superior Services under it was only 2.9% for Muslims and 20% for Hindus. The Commission, however, grievously failed to carry this policy of fixation of ratios to its logical conclusion, and omitted to fix similar definite ratios also between the Hindus and Muslims and other minority communities sufficiently important in any province. That this fixation is even more important and necessary is proved undeniably by unfortunate incidents and position in the different services. In some cases, officers utilise their position to carry on communal propaganda or sow the seeds of internecine warfare by sectional fevourtism and injustice. A Governor of Bombay left the shores of India with the parting wail that even his responsible popular Minister could not resist the lure of power and patronage to surround himself with a permanent staff recruited almost exclusively from his own community. Even in the hallowed preserve of Law and Order, this virus seems to have invaded, in spite of the fact that it is the one department of which the Government is justly proud, and for which India pays so heavily. The Bihar and Orissa Police Administration Report admits; 'In 2 or 3 cases Police Officers permitted religious fervour to obscure their judgement and prejudice their conduct.' Anyone who knows anything about the normal difficulties of unearthing and dragging such cases to light and of the subsequent natural administrative efforts to whitewash them can easily realise that there must in practice be dozens of such cases of overzealous Hindu officers in all departments before 2 or 3 forced their way into the Government Annual Administration Report even of law and order.

If such is the position while a centralised bureaucracy still reigns supreme, how much more will it be so under Indianised and self-governing conditions, when the present checks are removed and 'the powerful central idea of government by majority' comes into full operation. Unless a fixed, frank and uncompromising ratio is mutually settled between at least the

two communities who aspire to Indian Swaraj, and accepted and legalised in a parliamentary statute, not only will constant bickerings soil our record of self-government but the greatest of all human tyrannies will reign supreme in India the tyranny of an unmitigated oligarchy of caste or creed over free and democratic Islam

Policies, however generous, humane or progressive, will be executed exclusively for the benefit, and to perpetuate the monopolies of the majority communities by the preponderantly Hindu officers, their actions will be confirmed by Hindu Ministers, Councilors and Chairmen of Local Bodies. All remedial measures will be immediately whittled down and rendered nugatory, and India will become a sorry spectacle of a Brahman or a Kayastha domination. Even in the matter of Educational, Industrial, and Commercial developments, the influence of officers and of Government action is unique in India as evidenced by present legitimate advantages and privileges enjoyed by contractors as opposed to other foreigners and even sometimes to Indians. If this is so of a constitutional foreign power, then to how much greater lengths could Indian majority community officers carry their exploitation of minor communities' officers can be more easily imagined than described. Even under the moderating influence of irresponsible and irreplaceable bureaucrats that have transferred 'Government Secretariats' into 'Hindu Zamindars' Cutcheries' as quoted from a neutral observer.

That the Hindus themselves realise the supreme importance of this problem is evidenced by the unnecessary bitterness they import into this controversy; and the ill-conceived desire to be the sole wielders of the pen, letting Muslims take a major share in the Army, Navy and the Marines, as Mr. Bipin Chandra Pal once put it. But Muslims know that there is behind all this palpably fallacious arguments as well as behind the accusations of 'slave mentality, selfishness, petty minded-obsession with bread and butter,' etc. They insist on taking their due share in 'serving' the Motherland. They are willing to and have died fighting even against Muslim foreign powers, if they are not treated here as helots and interlopers,

after 700 years of amicable residence; but are made to love this country by being guaranteed here all the material, moral and administrative blessing which others enjoy. That the Services will give them ample opportunities of serving their own community and the Indian nation is not difficult to comprehend. That here in the United Provinces such service of their community is called for is apparent alike from their own depression and the assertiveness of the majority community.

The Governor of Bengal in Council, in 1925 publicly announced, 'that Government must give due consideration to encouragement of education in the Muhammadan community by provision of Government employment for them to a reasonable extent. . . . .Apart from the official duties, administrative officers of the Government are, through their position, able to exercise a beneficent influence over the lives and general fortunes of the people; and the Governor-in-Council has met with numerous instances in which Mohamedan officers have advanced the interests of their community. Without a larger proportion of Mohammedam officers than now employed the interests of the population as a whole are not likely to be secured Putting aside the natural reliance of the several communities in officers of their own community in times of tension, the Governor-in-Council considers it inevitable that Muhammadan officers will be in closer touch and sympathy with the needs and aspirations of their community than any other officers.'

This was 2 years after the united efforts of Messrs C. R. Das, Subhash Bose, Moulvi Abdul Karim and others to 'secure the rights of each community as the foundation of self government.' The Calcutta University and the Government Secretariat alike had degenerated into almost pure communal organisations; and these patriots and practical reformers felt that, to quote from the now famous Press Letters of the last-named leader, there was no incentive to bury the hatchets, and to put shoulders to the wheels of national or administrative chariots of future India, if any community justly feels that it is being done out of even its minimum share of responsible

positions and control of national policies. Bitterness between Hindus and Muslims is fast growing and will continue to grow as Mohamadens get more and more educated. As Indianisation proceeds, and Muslims alone fail to get their due share owing to natural tendencies or unnatural intrigues of Hindu monopolists, the bitterness will grow.

Mr. C. R. Das' Bengal Pact 'established the real foundation of Swaraj as far as Government posts' were concerned as follows—55% of the Government posts should go to the Mohamedans to be worked out in the following manner :

'*Fixing the tests for different classes of appointments*—The Mohamedans satisfying the least test should be preferred till the above percentage is attained; and after that, according to their due proportion, subject to this that for the intervening years a small percentage of post, say 20% should go to the Hindus '

Unless our proportion is embodied in an Act of Parliament, we will never be able to secure our due share in the administration, as Hindu Secretaries, Heads of Departments and Hindu Superior Officers (and these are almost all Hindus now) aided by Hindu Majorities in the Boards and Legislatures, will ever frustrate the attempt to establish this equitable ratio, by means and machinations which are too well known to enumerate and which have so far naturally resulted in uniform preferences given to relations, co-religionists, caste brethern, and sub-caste relations. The officers of the 'sister' community shall be put out of the reach of the perfectly natural, if by no means excusable, tendency to prefer their own people whom they know well, to recruits of Muslim, Christian or aboriginal and other minority communities whom they do not know. The proportion of communities in the lower services is inevitably controlled by the ratio among the Heads of Departments and the higher controlling officials and their lower Secretariats.

Sir Malcolm Hailey, as Home Member, laid it down in 1923 by public declaration that the definite policy of the Government of India was to prevent the preponderance of any community, caste or creed in the services under its

control. The Local Governments followed up this salutary lead, and the Bengal Government in 1925 laid down by order of Governor 'that in 45% vacancies filled by direct recruitment, Government reserves the right to appoint Muhammadans alone, provided they possessed the minimum qualifications or secured only the qualifying marks in competitive tests.' In the Bengal Secretariat staff 33% of all vacancies are reserved for Muhammadans 'and the very minimum proportion is to be immediately established.' The Bombay Government has made it obligatory in all recruitment to give a 'fair proportion to Muslim in the Presidency proper and 50% in Sind.' The Madras Government has 'accepted the policy of giving preference to candidates from communities which have not got a due share of appointments in public service, and accepted the proposals of the Muhammadan Staff Selections Board that in proposing lists of candidates suitable for clerical as well as other appointments in public service the following percentages should be appointed as a general rule—'Non-Brahmans 40%, Muslims 20%, Brahmans 20% Indian Christians and Anglo-Indians 10%, Depressed classes and others 10%.' The U.P. Government notified on 29 May, 1923, that of the six vacancies to be filled in the Provincial Executive Service 2 shall go to the Muslims. Similar acceptance of Sir Malcolm Hailey's policy has been made by all Local Governments.

In the N.W.F.P. where Hindus represent only 3% Lala Lajput Rai led a deputation to the Viceroy claiming 50% Hindu officers and men in the police and executive service.

The policy of definite fixation of rations is fairly old and authentic. The agitation was started by an educational officer himself, and a proportion was fixed in Bengal, and in 1893 the Government laid down, that 'provided qualified candidates are available, necessary orders should be issued to the Education Department and all district and Municipal Boards to appoint only Muhammedan candidates till the proportion (of about 52%) is reached. Circle Inspectors were to follow a similar principle in appointments of teachers in

Government High Schools. It must be most disheartening to the Muhammedan people to find their brethern almost wholly excluded from appointments and this must react most injuriously on their educational advancement.'

In 1901, however, the Secretary to the Government remarked severely on the whittling down of this order in actual working, by the subtle and expert Hindu monopolists, and a fresh order was issued to the Heads of the Departments, saying, 'Notwithstanding the distinct orders of Government, Muhammedan Inspectors of Schools are to adhere to the degrees laid down as qualifications for the vacant posts, and not to give preference to a Hindu possessing a higher degree which is not an essential qualification for the vacancy.'

At long last something like a fair proportion of Muslims has been reached in this one department in Bengal. And it is a significant commentary on the false and mischievous alarms raised about 'efficiency suffering and Muslims being incompetent,' that in this or all departments there has been no complaint from Government or grievance of inefficiency from the public, nor have Muslim officers failed to reach the very highest posts in which academic learning and high literary as well as inspecting and touring abilities are essentially called for 'The efficiency theory' has been exploded in the case of the European Services (where it certainly had some semblance of valid justification ever since the organised agitation against the Ilbert Bill in the time of Lord Ripon) and it ill behoves a professed 'nationalist' community to revive it. Our community can dignifiedly ignore this insulting challenge after having founded empires and given to Europe its 'Chivalry' (the very word is Saracenic), its Cordova and Granada, its mathematics, science and philosophy, its paper, mariner's compass and Algebra, as well as its religious toleration democratic constitution and its initial Renaissance from the Dark and Middle Age barbarities The problem of Muslim middle class unemployment is growing as acute as any other, and effectively refutes the further pretext of Hindu monopolists that qualified candidates are not available. Now

the paltry '5% Muslim officers ratio in the whole of India' which was complained about in 1924 by Mr. Abdul Karim in the Council of State is inevitable.

We may be allowed to quote the following from Mr. E.C. Bayley : 'Is it any subject for wonder that they (Muslims) held aloof from a system (of education) which, however good in itself, made no concession to their prejudices, made in fact no provision for what they esteemed their necessities, and which was in its nature antagonistic to their interests and at variance with their social traditions ?' Sir W. Hunter, even more tersely observed, from his first-hand knowledge as the official chronicler, that 'the astute Hindu has covered the country with schools adapted to the wants of his own community; but wholly unsuited to the Muhammedans. T e languages of our Government schools is Hindi, and the masters are Hindus,' as indeed are the ideas and ideals, the symbolism and similitudes, the traditions and mythologies, the histories and biographical anecdotes of Rama and Bhim, to the exclusion of those of the Caliphs like Ali and Haroun, and conquerors like Khalid and Babar, and administrators like Omar and Akbar. This is in a minority province. In the province of Madras equal safeguards have been taken to denationalise and depress Indian Muslims; and the Madras Government in an official resolution declared, 'The existing scheme of instruction was formed with too extensive (and intensive) a reference to the requirements of the Hindu students; and the Mahommedans were placed at so great a disadvantage that the wonder was not that the Mahommedan element in the school was so small, but that it existed at all.' After this comment it is useless to prove what should be the basic principle if Government want as the Governor-in-Council declared in Calcutta, 'to encourage Muslim education and prevent the monopoly (in the services) of any class.'

We repeat that the question of services is essentially a national and fundamental one. It cannot be contemptuously and with dexterity waived aside as a problem of India's slave mentality; when in the near future it will be the Indianised

officials and autonomous cabinets and Boards from which such 'Boons' will be carved, presumably with equal alacrity and subtlety by our 'astute' brethren.

It is our firm conviction that to Muslims, and, we may add, to a large number of persons belonging to the various communities, religions, castes and races of India, the question of administration is a question of political and economic existence. We hope that this statement will not be exposed to the charge of exaggeration. When we explain to you the peculiar, nay the essential features of public administration in India. The great, powerful and influential official hierarchy which our national king, Akbar the Great, built up and which subsequent administrators have perfected, has played a leading part in the development of this country. It has built canals, established law and order in the country, provided an excellent system of roads, and established and methodised the collection and assessment of land revenue. We may go further and state that modern India is the work of a devoted band of officials, both English and Indian, who by their vigour, energy, enterprise, and devotion, have made, and are still making, the great and, let us add, the only safe course that leads to responsible government and dominion status. We do not deny, indeed, we should be the last to deny, the part which various local bodies have played in this process We have never denied the utility, nay the absolute necessity, of local self-governing institutions. They contribute to the development of local centre of thought and action. Nor do we deny that they form habit among the inhabitants of a town or district, of bringing their knowledge and capacities into common stock for the benefit of the whole community, making those friendly personal relations which benefit neighbours, and develop a capacity for give and take. The heaping together in such an assembly of various elements of power, the conjunction of forces of ranks, wealth, knowledge and intellect, natually make such institutions a sort of foundry in which public opinion is melted and cast, where it receives that definite shape in which it can be easily and swiftly propagated through the whole province, deriving not only an

authority from the position of those who form it, but also a momentum from the weight of numbers in the community whence it comes.

We have thought it necessary to state this in order that our position might not be misunderstood. All that we claim is that the official in India exercises an influence which is hardly inferior to the influence of local self-governing institutions. This does not mean that he acts as a rival to the latter, nor does it mean that the local bodies are in any way unfitted for the task with which they are charged Our contention is that the ideal of all governments in India—and in this we include the Mughal as well as the British Government—has always been to bring the active, planning will of each part of the government into accord with the prevailing popular thoughts and needs, and thus make it an impartial instrument of symmetrical national development and to give to the operation of the government thus shaped under the influence of opinion and adjusted to the general interest, both stability and incorruptible efficacy. We do not, of course, claim that this ideal has always been realised in practice; nor do we deny that in some cases acts have been committed by the government and methods adopted which are unworthy of any civilized government. It must, however, be admitted that the best type of officials in India—and in this category we include both the English and the Indian officials have always placed this ideal before them and tried to carry them out. We may go further, and state that the official in India is the balance-wheel of the constitution

It is no doubt true that the legislature will give a specific mould to the government, and the party in power can, if it has the will and the opportunity, to mould the administration. But administration in India is not merely a question of loaves and fishes. It is a question of power, of opportunity and of service. A Tahsildar or a Deputy Collector wields an influence which is wholly disproportionate to the amount of pay he draws.

*Muslims in Services*

We have deemed it necessary to restate the main principles upon which Indian administration is based. The part played by the Muslims in the executive services of these provinces is known to all who have had experience of their work. The great majority of officers who helped the British in the maintenence of law and order, the evolution of various institutions, the revenue system, the police, the judiciary, etc, were Muslims.

Impartial, disinterested officials have testified that Muslims possess executive ability of a high order; they have acknowledged their driving power, enterprise, dash and power of command The Muslim deputy-collector and the Muslim police official contain some of the smartest and most successful administrators in India. Indeed our importance in the social and public economy of these provinces was clearly and lucidly stated in the fifth Despatch of the Government of India, dated April 23, 1919 : 'In the first place the Muslims have been definitely promised some electoral advantage on the ground of their political importance. We shall have to measure that advantage and to fulfil that promise. In the third place their census strength by no means corresponds to their political strength The past history and the presence of Mahommedan centres count much ' Lord Morley's reply to the deputation of the London Branch of the Muslim League shows clearly the important, nay, the leading part which Muslims play in the political and social life of the United Provinces.

We would like to refer you to another point, which is of special importance to us at the present The present political atmosphere of the country is surcharged with racial and communal rivalry, almost in every branch of life.

According to the information supplied by the United Provinces Government to the Local Legislative Council on December 21, 1927, between March 31, 1921 and December 21, 1927, restrictions were imposed on 700 religious processions in 40 out of 46 districts of the United Provinces; ninety

communal riots occurred in various parts of the United Provinces; during these riots 39 Hindus and 42 Muslims lost their lives, while 1566 Hindus and 735 Muslims were wounded This is a record of which every Indian ought to be ashamed. Yet, this is an index to the feelings of the two communities in one province alone. It is satisfactory to note that the leaders of the two communities are engaged at the present time in devising remedies for this disease It is also satisfactory to note that the relations of the two communities have improved considerably during the last eight months The occurence of riots creates an atmosphere of suspicion and distrust, and intensifies, embitters the relations and wounds the sentiments of all the communities Hindus accuse Muslims of aggression. Muslims charge the latter with various crimes. We do not think it necessary to apportion either praise or blame between the two communities. We cannot indict a community of 68 millions on the one side or a community of 210 millions on the other. The fact, however, remains that executive officers are placed in a most awkward position. If they are Muslims, the Hindus distrust them. If however they happen to be Hindus feel—whether rightly or wrongly—that they are not treated fairly, and that strict and just treatment which has been the distinguishing feature of British administration is not meted out to them. It cannot be denied that the communal feeling and racial rivalry which have found expression in communal riots have begun to influence the administration When the feelings of two great communities are greatly strained, when law and order cannot be maintained adequately and effectively, it is necessary, nay it is absolutely essential, that the administration should inspire confidence If this element is lacking in any administration, if one community thinks that the life and property of its members will not be safeguarded, if it suspects the motives, distrusts the policy, and dislikes the presence of the administrator, then the whole system stands self condemned. The official, then, has forfeited all claims to respect; he has lost the confidence of the public, and has deprived himself of the chief instrument which preserves his power, strengthens his influence and consolidates

his prestige. Yet this is bound to happen, if there is a preponderance of any community or caste in the administration. In India, caste still plays, and will continue to play, for a long time, a decisive influence on the minutest detail of the life of the members of the majority community. It creates a spirit of clannishness, of exclusiveness, even of untouchability among members of a particular caste. The result is that in some departments, members of different castes try to monopolise all the power for themselves. It has sometimes been remarked that when a person of a certain caste joins a department, his fellow-castemen come in after him in ever increasing numbers, and the department is not only Hinduised, but also Bengalised, or Brahmanised, Kayasthised.

Again, the practice of Chhut-Chhat practised by the Hindus towards the Muslims makes it almost impossible for the two communities to carry on free and unrestrained social intercourse In other countries, racial, religious and communal rivalries, differences, and distinctions, are mellowed and softened, and sometimes entirely eradicated, by constant, cheerful, and happy social intercourse Intermarriage goes far to soften political asperities, interdining creates a feeling of brotherhood, and a sentiment of comradeship is fostered which contributes to the growth of a common civic feeling, a feeling in which sentiment, reason, will, and feeling combine in harmonious proportion, and create that patriotic fervour and national consciousness which transcend the boundaries of religion race, and language. The example of Switzerland shows how such differences can be surrounded and a united nation developed out of material that seems at first sight so thoroughly unsuitable and unmalleable. Every government, as Burke has finely said, is not merely a government of laws, but also a government of men Unfortunately the practice of Chhut-Chhat makes it impossible for the Hindus to mix on a footing of perfect social equality with the Muslims. They cannot marry into Muslim families; they will regard any food touched by the Muslims as impure; they cannot dine together; while social customs make it absolutely impossible for a Hindu to maintain that social level which is the prerequisite of all

democratic governments. In religion and customs, they are poles apart. Religious differences would have retained their vigour if social intercourse had been frequent, happy, unrestrained and cordial. Unfortunately, such conditions do not operate in India. It is true that the number of unorthodox Hindus has increased; it is also true that such Hindus mix freely and easily with the Muslims; and it must be admitted that the Hindus have made considerable sociable social progress in the Punjab. It must be confessed, however, that the latter constitute only a microscopic minority. It is well-known that they exercise little influence in social matters on the vast bulk of the Hindus.

These reasons make it imperative that all the communities in these provinces should be represented in the administration of the provinces. If this is not done, the administration will not inspire confidence; it will be dominated by an oligarchy of a particular caste of a particular community which will monopolise all the posts, manipulate the whole governmental machinery in its own interest, and produce a state of affairs which will lead to constant warfare between various elements of the population

*The Question of Efficiency*

It may well be asked, why not appoint the most efficient men, irrespective of caste, communal and religious considerations? We are entirely at one with those who insist on efficiency. We believe that if inefficient men are appointed to any post, all communities, nay the whole country, will suffer. But the standards and criteria of efficiency must be clearly laid down Unless this is done, particular castes with peculiar aptitude for a special kind of work will pack all the offices, exclude members of other castes, and will become corrupt, greedy, selfish and tyrannical. Efficiency must be interpreted in its truest and most appropriate sense. We may be permitted to give an instance. The executive service—whether provincial or imperial—needs qualities and demands virtues which are different from those required by accountants and school

masters. If these Executives lacks in continuity in policy, promptitude in action, courage to enforce its decision, judgment in the selection of officials, and the possession of special knowledge and technical skill it will fail miserably. Efficiency has consequently reference to the end in view. If a person is efficient he must be so for a particular post. He cannot be efficient *in vacuo* It has however, happened frequently that though capable, efficient and suitable Muslims for various posts were available though they applied, and were in every way deserving of appointment, non Muslims were actually appointed, simply because the word 'efficient' was interpreted in a way that suited non Muslims We need only refer to the proceedings of the local bodies, universities, and other bodies for the confirmation of our statement.

Again, though we regard efficiency as a criterion, we do not regard it as the only test in appointment to various posts. We think that in a country where various communities, races, and creeds occupy different educational, economic, and social levels, where the facts of caste determines the position of a member of a caste in the social scale, it is inevitable that other considerations than those of efficiency will and must be taken into account. We believe that in India, there is not only a probability but also a certainty of public services being monopolised by a clerical caste, possessing plenty of book knowledge and an unusual faculty for cramming for examinations, but no modicum of commonsense, and little grit of character. If such gentlemen are imparted into the executive services, they may perform their ordinary duties admirably, but they will fail miserably in emergencies. We have no objection to minimum qualifications being laid down for admission to all services We think that it is only just and reasonable

We are strongly of the opinion that Muslims should be guaranteed 33 per cent representation in all government departments. This must be laid down in the constitution itself, and must not be left to the whims and fancies of legislatures in India, in which members of the majority

community are dominant. We have shown above that executive orders have been issued by various local governments Yet these rules are not always observed. Our gaze is, however, fixed on the future; and we base on the experience of the past We believe that if the process of Hinduisation of services which began with the advent of reforms, continues unchecked, if Muslims are elbowed out of those services which have been instrumental in evolving order out of chaos, our community will be reduced to the position of hewers of wood and drawers of water. We would apply the same principle to services maintained by the local bodies. In the appendix to this report, we give facts and figures to show the extent to which the number of Muslims has been reduced in bodies that are dominated by the majority community. It has been our bitter experience of the working of the bodies that the claims of efficient Muslims are ignored; and their opportunities of appointment by a selection committee consisting mainly of Hindus are very small, and unless they are guaranteed a fair and equitable percentage in administration of each local body, we are certain that even the comparatively few Muslims who are to be found in the administration will disappear. We would have preferred a convention being established on this subject, but we are forced by the logic of facts to the conclusion that a convention will possess little force in India in the present circumstances. We, therefore, propose that the extent of representation of Muslims in the government departments should depend upon the amount of their representation in the Legislative Council; while the amount of representation of Muslims in the administration of each local body and all autonomous institutions created and controlled by the legislature, such as Universities, Board of Intermediate and High School Education, Improvement Trust, etc., should depend upon the representation of Muslims in these bodies.

We recommend that this principle should be applied in the case of all appointments in future. We advocate the establishment of a Provincial Service Commission in these provinces. The Committee will reserve 33 per cent vacancies for the Muslims and the rest for non Muslims. It will conduct one exa-

mination for all communities, but Muslims will be chosen from among the Muslim candidates and the Hindus from among Hindu candidates The services in each Government department will be classified into grades, and the proportion of Muslims will be reserved in each grade. We think that the Public Services Commission should be placed on a statutory basis. As regards the Government of India, we are of the opinion that in all the services maintained by the Central Government, Muslims should be appointed to thirty three per cent of all vacancies. We draw your attention to the policy pursued by the U P. Government in filling vacancies in the U.P. Provincial Executive Services They instituted a competitive examination for deputy collectors about seven years ago, in which 3 per cent of all vacancies are reserved for Muslims and the rest for non-Muslim candidates: Both the Muslims and non-Muslim candidates sit for the same examination, but Muslims are selected from among the Muslim candidates, and the Hindus from among the Hindu candidates. This system has worked admirably and has given satisfaction to members of all communities Generally there are six vacancies, of which two are reserved for Muslims, and four for non Muslims. We are of the opinion that this principle should be applied to all public services We may refer here to the excellent results that have followed the establishment of Public Services Commission in various British Colonies. We need only refer to the reforms introduced in Australia and Canada. We may also mention that in America the system has worked so well that it is proposed to extend it to a number of appointments which have been 'taken out of politics'. We need only refer to the remarks and observations of Lord Bryce in his work—Modern Democracies and The American Commonwealth—for details of this scheme.

We are of the opinion that a Provincial Public Services Commission should be invested with adequate and substantial powers; and in the case of appointments to any government department, the Public Services Commission should lay down clear and definite rules which must be fulfilled before any

vacancy is filled up. As regards the services maintained by the local bodies, we think if sufficient Muslims are not appointed in the administration of local bodies they will not get that experience in Local Self Government which is so essential for the success of self governing institutions. We are of opinion that the conditions of important services in local bodies should be clearly laid down by the commission, and no important appointment should be made without the approval of the latter. We suggest that the Commission should lay down regulations regarding the pay, qualifications, conditions of service, etc., of all important services maintained by local bodies. It should also be charged with the duty of seeing that the percentage of Muslims in all public services as guaranteed by the Act of Parliament is maintained. We recommend that the members of the Commission should be appointed by the Secretary of State, and not by the Local Government of India. We would like to draw your attention to the fact that the railway service offers enormous scope for patronage, jobbery, nepotism and corruption. We are definitely of the opinion that the practice of British Colonies in this respect is salutary and worthy of imitation in India. Many of the Australian States have been compelled to set up commission of Railway, with complete power over the appointment and dismissal of railway servants and management of railways. This was done by Victoria in 1884, South Australia in 1887, Western Australia in 1902, and by New South Wales and Queensland. We are strongly of the opinion that a definite percentage of Muslims should be fixed in all grades of railway service. We think that Muslims are entitled to 33 per cent representation in all the services maintained by the Government of India. The Army Department stands on different footing. We think, however, that all the recommendations of the Skeen Committee should be carried out without delay.

We are of the opinion that Muslims should be guaranteed representation to the extent of thirty three per cent in the Cabinet. This is essential, if Muslims are to take their due share and exercise their legitimate influence in the Govern-

ment. This should be regarded as a minimum.

We believe this to be a necessary safeguard, as otherwise our views will find no expression in the administration, and our rights will not only be ignored, but actually violated. We may add that the representation of minorities is actually safeguarded in countries like Switzerland, Czeehoslovakia and others, where minorities exist. We quote the following from Lord Bryce's *Modern Democracies*—'Though in nearly every Canton of Switzerland one or more representatives of the minority or minorities find their way on to the Executive Council, despite the fact that the vote is taken by a 'general ticket' over whole Canton, still, in order to ensure the representation of minorities, several Cantons have adopted systems of proportional representations, for everybody feels that each important section should have its spokesman and its share of office' So much for the Provincial Executive Council.

As regards the Federal Executive Council, Bryce informs us, 'Custom prescribes that one Councillor shall always come from Bern, and another from Zurich; one is usually chosen from the important French-speaking centre from Vaud. One is again, by custom, taken from a Roman Catholic Canton, and very often one from the Italian-speaking Ticino. In this way, all the races and religions of Switzerland are represented.'

We would like to draw your attention to the fact that in two Cantons of Switzerland, representation of minorities in the cabinet is secured by statute. We claim the same rights, we desire the same protection that are actually granted to minorities in Switzerland.

We are of the opinion that the classification of services in the Imperial and Provincial should be retained, though their nomenclature may be changed. As regards the subordinate services, we are strongly of the opinion that one-third of the vacancies in the provincial services should be filled by pro-

motion from the subordinate services, and two-thirds by a competitive examination.

We are of the opinion that all the recommendations of the Lee Commission should be carried out without the least possible delay. The Indian public is greatly dissatisfied with the delay in the effectuation of these recommendations As regards appointment to the Imperial Services and the proportion of persons who are to be promoted from the Provincial to the Imperial Service, we are of the opinion that the principle laid down in the recommendations of the Lee Commission should be followed.

As regards the Indianisation of services we are of the opinion that the Act recently passed by the British Parliament which was based on the recommendation of the Lee Commission should not be amended. We believe the time has not yet arrived when all the services in India can be Indianised. We think, however that such a scheme is a transitional one, and we look forward to the day when all the appointments in India will be filled by the Indians, but that day has not yet come.

We are strongly of the opinion that no further scheme for the Indianisation of services will be acceptable to us unless and until a minimum of thirty three per cent of all the appointments is guaranteed to our community We have learnt by bitter experience that Indianisation, in most departments since the Reform regime, means Hinduisation. Our community will offer determined opposition to any plan which does not ensure us an honourable career for our children.

So far as the question of efficiency is concerned, we may say briefly that the United Provinces Muslims are as efficient as members of other communities, and can perform, and are performing all the duties of their office as efficiently as other communities. Our achievements, our heritage of culture and our success in the administration of every department are a sufficient testimony to the accuracy of our statement.

Having explained our policy with regard to representation in the services, we now deal with the important Govenment Departments *seriatim* :

In the U.P. Secretariat.

Out of the total strength of 25 there are—

14 Christians.
9 Hindus.
3 Muslims.

Owing to the increased and increasing power of centralization in the secretariat the question of the representation of Muslims in this department assumes an exceptional importance. Apart from the ICS posts, there are 25 gazetted posts in it, namely :

2 Departmental Secretaries (Finance)

1 Under-Secretary (Local Self-Government).

1 Assistant Secretary (Executive)

2 Vernacular Mir Munshis.

17 Supreintendents.

2 Chief Inspectors and Assistant Inspectors.

Out of the above only 3 are Muslims, namely:

Under-Secretary, Local Self-Government : Under-Secretary, Irrigation Department; and Mir Munshi.

All these posts are of comparatively minor importance with small emoluments. None of the Muslims is a permanent superintendent. It may be noted that the two Indians who hold the posts of Chief Secretary and Secretary in the ICS Cadre are both Hindus.

The clerical establishment in the Civil Secretariat tells its own tale.

Out of the total strength of 310, there are:

| | |
|---|---|
| 50 Muslims *i.e.,* | 16% |
| 43 Christians | 14% |
| 217 Hindus | 70% |

*Indian Civil Service*

Muslims' representation in the ICS cadre has been practically nil in the last year. The premier service in the Province has had a chequered career. In former time, recruitment for this service used to be made by competitive examination in England alone. About forty years ago an attempt was made to provide a nominated and non-competitive element in the Indian Civil Service under the designation of Statutory Civilian, but it was abandoned after a short trial and superseded on the recommendation of the commission of 1887 and the system setting apart some superior posts to be known as listed posts to which senior members of the various provincial services might apply was instituted. This system was also subsequently superseded by simultaneous examinations in India. With the issue of the Declaration of August 1917, the position of the European element in ICS has become rather uncertain. In the days of the Islington Commission the question was 'How many Indians should be admitted into the public services? But now the question has become 'what is the minimum number of Europeans which must still be recruited?' To carry out the spirit of the Declaration of August 1917, the Lee Commission have recommended that the present rate of Indian recruitment should be accelerated and that the rate of such recruitment should be maintained at 40 Europeans and 40 Indians out of every 100 recruits (the remainder to be filled by promotion from the Provincial Civil Service) until 50-50 cadre was reached.

* * *

*Conclusion*

Before we conclude we should like to reply to a few arguments that are often urged by communities and persons who have managed to monopolise the power, emoluments, and

influence of the most lucrative appointment in the administration of the province. Such persons urge that efficiency alone should be taken into consideration in making appointment to various offices in the country. They say, 'O, Well, we must appoint the best man for the job.' We have already indicated in the beginning of our report that we are firm believers in this principle We are convinced that if incompetent, or inefficient persons are appointed to these posts, the interests of the country will suffer.

Indeed, we go a step further and assert that without efficiency in the administration no progress is possible. It is really upon the services that the success of all legislative measures depends. One may have a perfect constitution, perfect in the amount of liberty it confers on citizens, perfect in the division of the powers of the state, and perfect in its provision for democratic principles Yet such a constitution will utterly fail if worked by people whose temperament, and tradition are unsuitable. The Mexican constitution seems to possess, on papers, an immense superiority over the constitution of the United States of America. Yet, as every student of Mexican affairs knows, and Lord Bryce has forcefully pointed out, it has been a complete failure. Why? Partly because the people have not reached a stage in their political development which will accustom them to the habits of constitutional Government; and partly because the officials are corrupt, the country is honeycombed with intrigue, and the constitution is most skillfully and systematically violated. That great manufacturer of the constitution, Abbe-Sieyes, found during the French Revolution, that though paper constitutions could be made by the dozen in a week, a frame of Government that is in consonance with the history and temperament of the people, and is based on the needs and experience of the times, is difficult to construct. We have made our position on this point perfectly clear. We do not want, and have never claimed any special favours either from the government or from the Hindus. We stand strictly on our rights. We believe that our community contains men who are as capable and efficient as any other community in this province or any part of India. We

believe that competent Muslims are available for every department; and we believe that they are as efficient as any non-Muslim. Our difficulty is that though the majority community talks of 'efficiency' in theory, in actual practice it interprets the term in a way that suits its purpose. If efficiency had been objective, if there had been any standard that could measure its constituent elements with scientific precision, we would of course have been perfectly satisfied; but, as you know, the element of personality enters into every appointment and this element is taken advantage of by the Hindus. It has been our painful experience that however sincere and enlightened a member of the majority may be, when the question of appointment comes up, his nationalism is thrown to the winds, and he generally ends by appointing his own caste men, if he can; but, if he cannot then a Hindu. We may refer you to another factor which militates against the efforts of Muslim for securing appointment. Before the reforms, appointments in all local bodies were made on the advice of the Collector, who was the chairman of the District Board, and generally, of the municipal boards also The Collector was generally a European, and he being a disinterested individual, was quite impartial in his recommendation. Again the Universities, which are now packed with Hindus, and possess the power of making all appointments, have not been reorganised. The position has been entirely changed by reforms. A large part of the time of the local bodies is devoted to wranglings over questions of appointment. The selection committees of the Universities have exemplified the same tendency and, as you will find from our report on Education, both the Lucknow and Allahabad Universities has been effectively Hinduised. There is not one Mohammedan teacher in the whole of the Science Faculty of the Allahabad University. The real reason for this scandalous state of things is that the appointments committees in the Universities are packed with Hindus and they invariably select a Hindu. Precisely the same conditions prevail in the local bodies; there the community with the largest number of votes appoints its own man and Muslim applicants, and Muslim claims are totally disregarded.

This is the normal feature of the procedings of all these autonomous bodies. Indeed in no sphere has the majority community proved itself so intolerant, short-sighted, and unjust as in the sphere of appointments. Hindu officials in Government departments openly favour Hindus in the matter of appointment. This tendency is indeed carried so far that though the Hindus unite against Muslim applicants among themselves, they are torn by dissensions among themselves. It is notorious that there has been a long-standing rivalry between the Brahmans and Kayasths in these provinces, over the question of loaves and fishes of office. If a Kayasth gets a footing in an office, he will try to import as many Kayasths as possible into the office. If a Banya gets a chance, that office is bound to have a number of Banyas later on. The Brahman follows a still more exclusive and clannish policy. The selfish, arrogant, and exclusive monopoly, which the Brahman enjoys in Southern India has been shattered by the vigour and energy of the non Brahmans. Indeed, the principles formulated by the non-Brahmans of appointments are so eminently sound that we have no hesitation in declaring them to be beneficial to India. The injustice perpetrated by a clerical caste will be realized by a glance at the questions asked by those Hindu members in the U. P. Legislative Council who do not belong to these castes. For instance, the Jats, the Rajputs, the Ahirs, the Gujars and Khatri members of the Council, have frequently made representation to the Government by means of Council questions, about the appointment of members of their castes in Government service. This shows that even those Hindus who do not belong to the clerical castes, are desirous of securing representation for their castes in the public services.

We may now sum up the above by stating that efficiency must be the chief test. But efficiency must not be interpreted in a narrow sense. It must not be confounded with book learning. There are two factors in measuring efficiency, (1) quality of character and (2) quality of mind. Both these play an essential part in all criteria of efficiency. The majority on the other hand has used efficiency and voting strength as

interchangeable terms. If they can appoint their own caste men by sheer voting strength, they can adduce numerous trivial and flimsy excuses for calling him efficient This has been our sad experience in hundreds of cases all over the province. We believe that the only effective way is to lay down minimum qualification and to reserve 33 per cent of all vacancies in all grades of every Government department throughout the province. These vacancies should be filled up by Provincial Public Services on the result of a competitive examination, or on the candidates satisfying such tests as the Commission may impose. The examination will be the same for Hindus and Muhammadan candidates, but Muslims will be selected from among the Muslim candidates, and Hindus from among the Hindu candidates. This principle has been most successfully applied by the U. P. Government in the Deputy Collectors examination, where this percentage has been sanctioned for us. We recommend that this principle should be extended to every Government department.

As regards local bodies, we strongly recommend that the power of making appointments to all the important offices of Local Boards should be completely taken away from the hands of the local bodies. Half of the troubles of these bodies are due to their interfering in matters, such as appointment with which they should have no concern. We recommend that Muslims should be represented in the administration of each local body in proportion to their representation in their body. This is, in our opinion, absolutely essential, if Muslims are to have their due share in the administration of these bodies. We recommend that important appointments in all these bodies should be made by the provincial Public Service Commission which should lay down qualifications, and hold examinations, or impose such tests as it may deem fit, for all important posts. No person should be promoted or dismissed without the recommendation of the commission.

We will never be satisfied with any constitution which does not guarantee to us these safeguards. We are firmly of opinion that the principle of representation in the Public Services, and the specific percentage mentioned by us above,

should be laid down distinctly and unambiguously in a parliamentary statute. Nobody in India, whether it be a legislature or an autonomous body, should be allowed to touch this provision. It should be regarded as fundamental.

We are of the opinion that the Government should charge one of its European officials with the duty—in our opinion, a supremely important duty—of keeping a list of all Muslims who satisfy the minimum qualification laid down by the Public Service Commission. The Officer should be helped by an Advisory body of Muslim leaders. Whenever a vacancy occurs, a list of such candidates should be supplied to the proper authorities. This was done by the Bengal Government sometimes ago. We believe this to be necessary, as our painful experience is that applications of Muslim candidates are often tampered with, and some times destroyed by the Hindu clerks who monopolise 92 per cent of clerical posts in departments of Government and of Local Bodies Again, this plan will enable the Muslims to keep a check on the actions of many of the selection committees which, as we have said before, are nominated by Hindus. We will be able to show in every case, that suitable Muhammadans were forthcoming and had actually applied. This will knock the bottom out of the theory which is often trotted out by the majority community. The U. P. Muslims have the misfortune to be represented in the Police and the Provincial Executive of the Province slightly in excess of the percentage of their population This is due to the fact that they possess executive ability of a high order. This has been acknowledged by competent British administration on innumerable occasions. Yet because their ability, driving power, initiative and power of comment have brought them to the front in the public services of their country they are pursued by constant attacks in the local Nationalist daily, the *Leader*; they are baited in the local legislature by 'patriotic Nationalists,' and are attacked on the public platform. Why ? Because, forsooth, they form only 14 per cent of the population, and their proportion in these services is slightly greater. This agitation is so utterly illogical and inconsistent that one can only wonder at the simplicity of

the belief held by these gentlemen. They are apparently attacked on the ground that their representation in these two departments is excessive. The Muslims may well reply, 'All right, we now know that you do believe in the principle of representation in the administration. If so, you apply it all round, and appoint Muslims in those departments in which they are not represented at all.' This is perfectly fair. Yet, while for other departments the principle of "efficiency" is insisted upon, for the Police and the Provincial Executive Service proper representation of the majority community is demanded. The argument is worthy of the trial in Alice in wonderland—

'That's very important', the King said, turning to the jury. They were just beginning to write this down on their slates, when the White Rabbit interrupted : 'Unimportant, your Majesty means, of course', he said in a very respectful tone but frowning and making faces at him as he spoke.

'Unimportant, of course, I meant,' the King hastily said and went on to himself in an undertone, 'important-unimportant unimportant-important' as if he were trying which word sounded best.

In fact, the proceedings of nearly all the provincial legislatures for the last five years are disfigured by numerous questions asked by members on the representation of castes, communities, and religions in nearly every department of the Government. The local bodies are also plagued by it. Where the Hindus have a chance, as in District Boards of the United Provinces, the offices are packed with Hindus; but when Muslims get a chance, as in a few municipal boards in the Rohilkhand Division, they try to give a few appointments to Muslims. I am not blaming either community. The real cause of it is the lack of definite rules and regulations on the subject. Again, it has to be admitted that no convention has yet developed on this as on other matters. In some countries, like Switzerland and England, conventions have the force of law. In India, there has been no time yet for the growth of convention; even if a convention is established for a time, it

is violated by the victorious party.

We would like to draw your attention to another very important factor. The Muslim officials in every district have passed, and are passing, through very trying times. The Hindu public is prejudiced against them, and their slightest action is subjected to the keenest, and, at time, bitterest criticism. Their clerks and subordinates are Hindus, who try to use every opportunity of discrediting their work and character. If they take a firm and strong action in riot, they are mercilessly attacked in the Hindu press. An organised agitation is immediately set on foot. Meetings of protest are held; the Hindu Sabha starts a violent compaign; and the Legislative Council, the Secretariat and the Press are flooded with representation from the 'distressed' Hindus. The relations between the two communities have, unfortunately, been very strained since the collapse of non co-operation in these provinces. Riots have broken out on a scale unprecedented in our history and the Government have had to adopt measures which were bound to effect one community or the other. These measures are carried out by the Executive in which are comprised both the police and the General Administration Department. The Muslims in these departments have representation which is slightly in excess of their population percentage. The Muslim policemen and Deputy Collectors are called upon to carry out the orders of the local Government for the maintenance of law and order. Again, in the case of a riot they have to act on their own initiative and adopt measures suitable to the occasion. If they do not do this, they have no right to be there. Yet, because they are instrumental in maintaining law and order, they are subjected to a series of persecution which is more effective than upon and avowed hostility The Muslim official therefore finds himself in a most delicate position In many places he is completely isolated, and surrounded by a hostile public. His work is thwarted by his Hindu subordinates; he receives no help from any other quarter, and he is deprived of that support, and sympathy of an intelligent public opinion which acts both as an incentive, and as a corrective to an official in

England. In other departments his position is still more precarious. His superior may be a Hindu, who may use an opportunity either of getting him dismissed or transferred. His own clerks, who are normally Hindus, are sometimes leagued against him. Such cases are not often reported, but we are convinced that Muslim officials suffer in numerous ways at the hands of their Hindu brethren Yet in spite of all these drawbacks the Muslim officials have worked with a devotion, energy and a courage which have won the admiration of all who know them, and admire their sterling qualities of heart and mind. Indeed it is difficult to foresee what would have happened in these provinces if the Muslim Deputy Collector and the Muslim Inspector of Police had not co-operated in the supremely important tasks of keeping law and order, and maintaining a high level of efficiency in the administration of these provinces. We hope that the Muslim officials will be effectively protected in the discharge of their duty by the Government. We believe that unjustifiable attacks, partisan criticism, prejudiced propaganda, malignant campaigns and gross misrepresentation of officials whether in the press, legislature, on the platform, and at public meetings, should be effectively checked. We do not want to be misunderstood. All that we desire is that Muslim officials should not be exposed to bitter attacks simply because they happen to be Muslims. If the public gets an idea that by these methods Muslims can be eliminated from the services and the Government compelled to toe the line, the administration will receive a shock, from which it will never recover.

The chief reason why we want safeguards in the services is that we require a guarantee not only for the present, but also for the future. Let us explain our meaning. It has been our bitter experience that the reformed scheme ushered in an era of Hinduisation in most of the Government departments. This process was rapid and thorough In seven years our community received a setback from which it will take a long time to recover When this happened at a time when the local legislature possesses only limited powers, when it could make its voice felt only in the transferred departments, we can

conceive the effects that would be produced on our community when the whole Government, and not merely one part of it, is made responsible to it. Such an event is likely to happen in the near future Our community is not in the least perturbed by it. It, on the other hand, has done, and will do, its very best for the attainment of this ideal, but it desires guarantees and safeguards before it can take a leap in the dark It knows that unless its position in the services is effectually secured, it will fare still worse in future that it has done during the last seven years. Our only basis for this forecast is our experience of this period. We claim that in politics the test of experience is the soundest and the safest. We therefore fear that unless this safeguard is guaranteed to us, even the position which has been left to us since the reforms, will be seriously affected The few appointments which Muslims hold in Government departments and the still fewer posts which the magnanimity of the Hindus has allowed us in the local bodies will be snatched from us on numerous grounds, but chiefly on the ground of efficiency.' We feel that our children and grand-children will form later one of the depressed classes, those unfortunate examples of man's cruelty to man whose fate in the process of Brahmanisation had been so tragic as to draw tears from the eyes of all who compare their past achievements with their present degradation. We are resolved upon maintaining a right which we believe to be primary, essential and inalienable. All countries in Europe have made provision for the safeguarding of rights of minorities in the adminis-tration; we are not demanding anything novel or revolutionary. We are merely claiming that which is conceded to all minorities, whether by the constitution or by convention, in every civilised country. We want a guarantee for the future. We want a definite and solemn assurance, embodied in a parliamentary statute, that our existence as a community shall not be sacrificed at the altar of any theory that is propped up by the majority community, to suit its own ends.

The figures we have quoted in the early part of this report make it perfectly clear that Muslims are inadequately represen-ted in most of the Government Department. Only in the

Police Department do they hold their own. Even here they are being gradually eliminated. They used to hold 60 to 70% of posts of Deputy Collectors; now they are being weeded out of this department too. In other departments their representation is grossly inadequate. For instance, in the Medical Department, the Public Health Department, the Public Works Department, the Irrigation Department, the Secretariat, the Indian Civil Service, the Forest Service, and the Agricultural Service they are hopelessly outnumbered. In the Education Department the situation is so serious that it needs your immediate attention. The Muslims regard the Education Department as pre-eminently the department upon which depends their progress as a community. The more highly educated they are, the better they will fare in the struggle for existence. It is well known, however, that a Muslim boy prefers to be taught by a Muslim teacher. If the number of teachers in an institution is large, the number of Muslim boys in that institution will also be large. This has often been remarked upon by various persons, and Education Commission, such as the Hunter Commission and the Sadler Commission. Yet the Director of Public Instruction frankly acknowledges in his last Quinquennial Report, which was published this year, that the percentage of Muslim teachers which stood at the scandalous figure of 16.3, has gone down still further, and has now reached the magnificent and respectable figure of 13.3 during the last five years. If this rate of progress continues, the Muslim element in the teaching staff of all elementary schools will disappear altogether in about fifteen years. When Muslim teachers disappear from elementary schools Muslim children will cease to attend such schools, and our community will sink to the position of untouchables. We offer our strongest protest against it, and would most respectfully urge you to take prompt steps to rectify this mistake. Owing to the importance of the Education Department we have given the list of Muslim officials in the department separately, at the end of our report on Education. A glance at the latter will convince any one of our meagre, and miserable representation in this department. In the Revenue Department though the number of

Muslims in the grade of Kurk Amins and their servants is satisfactory, the number of Muslim Patwaris is ridiculously small. The Patwari plays a very important part in rural areas. He wields wide influence and exercises great powers. It is essential that Muslims should be appointed in adequate numbers to these posts. In the appendices to this report you will find a complete and detailed account of the number of Muslim and Non Muslim employees, and the pay they draw, in every department of all local bodies. The figures show conclusively the meagre and thoroughly unsatisfactory representation which our community possesses in these bodies. An analysis of these figures shows that in most of the departments of 90 per cent of these bodies Muslims are not given any important appointments, but are appointed only as Chaprasis or petty clerks. This state of affairs calls for immediate action on your part. We may conclude by stating that in all the Government services and the Services maintained by Local Bodies Muslims have not been justly treated. We hope and believe that you will deal justly with our claims.

## SIMON COMMISSION'S RECOMMENDATIONS ON COMMUNAL REPRESENTATION

72 In the absence of a new agreement between Hindus and Mahommedans, we are unanimous in holding that communal representation for the Muhammadans of a province must be continued, and that Muhammadan voters could not be deprived of this special protection until a substantial majority of Muhammadan representatives in the provincial legislature declared themselves in favour of the change. We shall have something to say in a later paragraph as to the conditions to be satisfied before the change could be made. The first and immediate point is that it cannot be made now, without doing such violence to Muhammadan sentiment as could not be justified either on grounds of policy or on grounds of equity.

It remains to be considered what form the continuance of communal representation might take, because separate com-

munal electorates are not the only method which has been suggested or discussed. The reservation of seats in a joint electorate is, no doubt, a form of communal representation; indeed, it is the form of protection for special interests provided in the present constitution for Mahrattas in the Bombay Presidency and for non-Brahmins in Madras, though in these instances the special protection has been secured by interests which are not in a minority. But the objection taken by Muhammadans to this variant is extremely strong. They contend (and we are bound to say that we feel there is great force in the contention) that, if the only provision for their protection is that a seat in a multiple-member constituency is reserved for a member of their community, the member who will be returned to fill it may well turn out to be a Muslim who is more concerned to keep the favour of the non-Muslim majority of voters than to represent Muhammadan interests. We well understand the claim made that communal feeling might be reduced by making both Hindu and Muhammadan members rely upon the support of a mixed electorate. The argument is that under such a system the candidate of extreme and intolerant views would not be likely to be chosen, at any rate where he was the candidate for a minority community. It does not follow that intolerance would always be a handicap to a candidate belonging to the majority community. But, if a Muslim candidate, in an area where Muslims are in a minority, had to solicit the support of Hindus as well as Muhammadans, he would have to consider the feelings, and allow for the reasonable claims, of the community to which he did not belong; and by this means, it is argued, the strain of communal antipathy is relaxed and a sense of common citizenship is encouraged. We should be entirely in favour of a practical plan which would help to bring about these desirable consequences, but it is impossible to shut one's eyes to the force of the argument that the mere reservation of seats, in order to secure a guaranteed amount of representation for the Muslim minority, is far from securing the return to the legislatures of Muslims who would be regarded by their co-religionists as authoritative and satisfactory representatives.

85. We now take up the question of the proportion of seats in the various provincial councils to be set aside for Muhammadan members.

The Lucknow Pact, as we have already pointed out, included an agreement between Hindus and Muslims as to the proportion of Indian elected seats allotted in each province to the Muhammadan community, and its terms have been followed closely in the allocation of Muhammadan seats in the existing provincial legislatures. The Pact is no longer accepted by either side as offering a fair basis of representation and the rival contentions now put forward are indicated in paragraph 70 above. It is very much to be hoped that a renewed effort will be made between the two communities themselves to arrive at a fresh accommodation; but in the absence of agreement, a decision will have to be reached by others, on the assumption that separate electorates remain. Our own opinion is that in view of the existing position and of the weakness of the Muslim minority in six out of the eight provinces, the present scale of weightage in favour of Muhammadans in those provinces might properly be retained. Thus, the proportion to be allotted to them of seats filled from the 'general' constituencies (other than the European general contituencies) would be determined as at present. But a claim has been put forward for a guarantee of Muhammadan representation which goes further than this—see paragraph 70 above and Appendix VII at the end of this chapter. This claim goes to the length of seeking to preserve the full security for representation now provided for Muslims in these six provinces and at the same time to enlarge in Bengal and the Punjab the present proportion of seats secured to the community by separate electorates to figures propor tionate to their ratio of population. This would give Muhammadans a fixed and unalterable majority of the 'general constituency' seats in both provinces. We cannot go so far. The continuance of the present scale of weightage in the six provinces could not—in the absence of a new general agreement between the communities—equitably be combined with so great a departure from the existing allocation in

Bengal and the Punjab.

It would be unfair that Muhammadans should retain the very considerable weightage they now enjoy in the six provinces, and that there should at the same time be imposed, in face of Hindu and Sikh opposition, a definite Muslim majority in the Punjab and in Bengal unalterable by any appeal to the electorate. On the other hand, if by agreement separate electorates in Bengal were abandoned, so that each community in that province was left to secure such seats as it could gain by appeal to a combined electorate, we should not on that account seek to deprive the Muslim community of its existing weightage in the six provinces where they are in a minority. In the same way in the Punjab, if Muslims, Sikhs, and Hindus were prepared to seek election through a joint electorate covering all three communities, here again we should still be prepared to see this combined with the preservation of the present numerical proportion secured to the Muhommadans by separate electorates in the six other provinces.

We make this last suggestion, which really involves giving the Muslim community the advantage of a choice between two courses to follow, because we sincerely desire to see all practicable means attempted for reducing the extent of separate electorates and for giving the other system a practical trial.

## OUTLINES OF PROVINCIAL CHANGES

364. In the provinces, the main consequences of adopting our proposals would be as follows:

The boundary now set up between departments of which Indian Ministers may take charge and departments from which they are excluded will be removed, and thus dyarchy will terminate. (Part II. Ch. 1).

The conduct of provincial administration as a whole will rest with a provincial Cabinet, the members of which will be

chosen by the Governor. These Ministers, whether elected members of the legislature or not, will have joint responsibility for action and policy. The constitution of the provincial Cabinet will be elastic and, where and when the Governor considers it necessary, it will contain an official element. (Part II, Ch. 1)

The powers of the Governor for certain essential purposes, such as the protection of minorities, and of the civil service, will be defined, and will be exercised within the limits and under the conditions we have described. (*Ibid*, para 50).

Full powers of intervention in the event of a breakdown will remain in the hands of the Governor, subject to the direction of the Governor-General. (*Ibid*, para 65).

The Provincial Legislatures will be based upon a widened franchise—the extension we propose would treble the electorate and would include the admission of a larger number of women voters. (Part II, Chap. 3).

Certain important minorities will be adequately protected by the continuance of communal electorate unless and until agreement can be reached upon a better method. Part II, Chap. 2, paras 69-76).

The Depressed Classes will get representation by reservation of seats. (*Ibid*, paras 78-80).

The Legislatures will be enlarged, and the constituencies reduced to a more manageable size. The Provincial Councils instead of being, as at present, purely legislative bodies, will acquire certain powers of recasting their own representative system, so that each province may advance to self-government on lines which are found to be best suited for its individual needs, subject always to securing that the vote of the majority shall not introduce constitutional change which would prejudice minority rights, (Part II, Chap. 2, paras 68 and 94/5).

The provinces will be provided with enlarged financial

resources. (Paras 158-163 and 188).

As for provincial areas, the question whether some redistribution is desirable will at once be taken up; such cases as those of Sind and the Oriya-speaking peoples will be the first to be considered. (Part II, Chap. 1, para 38)

Burma, which is admittedly not a natural part of British India, will be separated forthwith. Provision must be made without delay for framing its future constitution. (Part VI).

The adminstered areas of the North-West Frontier Province will now receive an advance in constitutional status represented by the creation of a local legislature with powers which we have described. Both it and Baluchistan will acquire the right to representation at the Centre. (Part III. Ch. 1).

The complicated and interlacing systems of administration of the Backward Tracts will be revised, and such parts of these as remain excluded areas will come under the charge of the central administration. (Part III, Ch. 2).

## MODIFICATION AT THE CENTRE

365. We now pass to the Centre.

The Legislative Assembly, which should be called the 'Federal Assembly', will be reconstituted on the basis of the representation of the Provinces and other areas in British India according to population. Members representing Governors' Provinces will be elected by the Provincial Councils by the method of proportional representation, which will ensure that members belonging to minority communities will be included in sufficient numbers in the Federal Assembly. Members will be returned from the North-West Frontier Province and other areas outside the Governor's Province by methods appropriate to each case. The official members of the Federal Assembly will consist of such members of the Governor-General's council as sit in the Lower House, together with twelve other nominated officials. (Part IV, Ch. 11).

The Council of State will continue with its existing functions as a body of elected and nominated members chosen in the same proportions, as at present. Its members, who must have high qualifications, will, so far as they are elected, be chosen by indirect election carried out by provincial Second Chambers if such bodies are constituted, or, failing this, by the Provincial Councils. (*Ibid*, paras 147-151).

The existing legislative and financial powers of the two Chambers of the Central Legislature will remain as at present, but the Federal Assembly will also have the special function of voting certain indirect taxes, collected by a central agency, the net proceeds of which will fall into a Provincial Fund for the purpose of being distributed amongst the different units represented in the Federal Assembly. (Part IV, Ch 1, paras 159 and 163).

The Central Executive will continue to be the Governor-General-in Council, but the Governor-General will henceforward be the authority who select and appoint his Executive Councillors. Existing qualifications will remain, but will be laid down in statutory rules made under the new Government of India Act, so that when occasion arises to modify these conditions hereafter this may be done without passing a new Act of Parliament. But any modification in the statutory rules made for this purpose would require to be laid before both Houses of Parliament and the approval of both Houses expressed by resolution. (Part IV, Chap. 2).

It is proposed that among the members of the Governor-General's Council should be one whose primary function it would be to lead the Federal Assembly. We have made other suggestions relating to the composition and character of the Governor-General's Council, and we propose that the Commander-in-Chief should no longer be a member of it, or of the Central Legislature. (*Ibid*, paras 170-173).

## THE ARMY

366. We have suggested for consideration a method by which, if agreement could be reached, the obstacle which the

composition and functions of the Army in India present to the more rapid development of responsible government might be removed through treating the defence of India as a matter which should fall within the responsibilities of the Governor-General, advised by the Commander-in-Chief, as representing the Imperial authorities, instead of being part of the responsibilities of the Government of India in relation to the Central Legislature. (Part V).

CIVIL SERVICES, HIGH COURTS, INDIA OFFICE

367. As regards the Civil Services of India, the Security Services must continue to be recruited as All-India Services by the Secretary of State, and their existing rights must be maintained. These Security Services include the Indian Civil Service and the Indian Police Service. It is a matter for consideration whether the Irrigation Service and the Forest Service should not be similarly recruited. The privilege of premature retirement will be extended. (Part IX).

The rates of Indianisation laid down by the Lee Commission for the Security Services will be maintained.

In addition to the existing Public Service Commission, we intend that there should be established by Statute similar bodies covering the provincial and subordinate services in all the Provinces. (*Ibid*, paras 339 340)

The High Courts will be centralised, and the expenses of the High Courts will become a central charge.

As regards the India Office, the Governor-General-in-Council will remain in constitutional theory under the superintendence, direction and control of the Secretary of State, and the extent to which this control is relaxed or falls into desuetude will depend upon future practice, and cannot be laid down in the Statute.

Apart from the Secretary of State's authority over the Governor-General-in-Council, he will exercise no control over Provincial Governments, save in so far as he does so in con-

nection with the exercise of special powers vested in the Governor.

The functions and composition of the Council of India will be modified. Its size will be reduced, and the majority of its members should have the qualification of more recent Indian experience than is required at present. The Council will exist primarily as an advisory body, but independent powers will continue for (1) the control of Service conditions, and (2) the control of non-votable Indian expenditure.

## INDIAN STATES

368. Lastly, for the purpose of promoting the closer association with British India of the Indian States in matters of common concern for India as a whole, we propose that the new Act should provide that it shall be lawful for the Crown to create a Council for Greater India, containing both representatives of the States and members representing British India. This Council would have consultative and deliberative functions in regard to a scheduled list of 'matters of common concern,' together with such other subjects of common concern as the Viceroy from time to time certifies as suitable for consideration by the Council. We refer to Part VII of this volume for a more detailed account of the machinery and methods which we contemplate, and we put forward the proposals as designed to make a beginning in the process which may lead to the Federation of Greater India.

# PART II

# BRITISH COLONIAL INTERPRETATIONS AND PRONOUNCEMENTS

It would be an utter misapprehension to suppose that Hindu-Muslim antagonism is analogous to the separation between religious denominations in contemporary Europe. Differences of race, a different system of law, and the absence of inter-marriage constitute a far more effective barrier. It is a basic opposition manifesting itself at every turn in social custom and economic competition as well as in mutual religious antipathy. Today in spite of much neighbourly kindliness and orderly affairs, and notwithstanding all the efforts made by men of good will in both communities to promote Hindu-Muslim concord, the rivalry and dissension between these two forces are one of the chief stumbling blocks in the way of smoother and more rapid progress.

*Simon Commission Report* (1930),
Vol. I, Chapter 3, para 36.

# 28

# THE VICEROYALTY OF LORD CURZON*

## I

## THE PARTITION OF BENGAL

January 1904—October 1905

By January 1904 Lord Curzon had been five years in India. On the 10th of that month Lady Curzon left Calcutta for England, travelling by sea *via* Colombo. But pending questions to which the Viceroy attached great importance had decided him to postpone his own departure until the end of April. Such partings never lost their poignancy. "I watched your carriage lights as far as I could see them flitting between the Botanical trees", she wrote after he had left her on board the boat a little way down the Hughli river. "And then despair settled down on me with the evening mist and there was nothing to do but to put my wet face to bed." Lord Curzon returned with a heavy heart to the great room in Government House in which he spent so many hours out of every twenty-four. "Life has gone silently grindingly on since you left," he wrote on January the 12th. "I felt very miserable driving back to Calcutta after we had left you. . . Now you are slipping away down the Bay of Bengal further and further every minute." Time did little to assauge the pangs of solitude. "And now my feeble gossip comes to a close," he wrote on February the 11th, "for you are at the end where are life and interest and I where are only bitterness and fatigue."

* From Earl of Ronaldshay : *Life of Lord Curzon*, Vol. II, Chapters XXIV and XXI.

Among the questions upon which Lord Curzon was now engaged was one which was destined to give rise to serious trouble. In April 1902, when writing to Lord George Hamilton on the subject of Berar which he contemplated placing under the Administration of the Central Provinces, he had mentioned his intention of looking into the question of Provincial boundaries generally. "Bengal," he wrote, "is unquestionably too large a charge for any single man." By a curious coincidence the question of certain readjustments of Provincial boundaries had for many months past been the subject of discussion—unknown to the Viceroy in a departmental file which reached his table a few days after his letter to Lord George Hamilton. That discussion of such a subject should have been in progress for so long a time without his being informed of it was an outrage on his sense of what was due to the Head of the Administration. "I really feel disposed to ask," he noted on the file, "Is there no such thing as a Head of the Government, and what are secretaries for but to keep him acquainted with the administration?" He went on to say that he did not suppose for a moment that the omission to inform him of the discussions which had been in progress was a conscious one. But the whole thing provided an admirable illustration of what departmentalism was capable of. "People sometimes ask what departmentalism is," he continued. "To any such I give this case as an illustration. Departmentalism is not a moral delinquency. It is an intellectual hiatus the complete absence of thought or apprehension of anything outside the purely departmental aspects of the matter under discussion. For fourteen months it never occurred to a single human being in the Departments to mention the matter or to suggest that it should be mentioned. Round and round like the diurnal revolution of the earth went the file, stately, solemn, sure and slow; and now in due season it has completed its orbit and I am invited to register the concluding stage."[1] Lord Curzon was by no means prepared to register the con-

1. The note is given *in extenso* in Mr. Lovat Fraser's "India under Curzon and after"

cluding stage, and he sent the file back whence it had come, with an intimation that the approaching incorporation of Berar into British India provided an occasion for a more general consideration of existing boundaries.

His own view was that the existing boundaries of Bengal, Assam, the Central Provinces and Madras were "antiquated, illogical and productive of inefficiency"; and he set to work to plan necessary alterations. "I should like to fix the Provincial boundaries for the next generation," he told Sir A. Godley.

The plan put forward in due course for reducing the unwieldy dimensions of Bengal, was interpreted by the intelligentsia of the Province as a subtle attack upon the growing solidarity of Bengali nationalism, and at once produced an outcry. The agitation which arose was not altogether disinterested. The Calcutta bar, the most numerous and powerful in India, had visions of a separate High Court coming into existence to serve the populous disiricts of the proposed new Province, to their own material and political disadvantage. The politicians who controlled the native newspapers of Calcutta were equally alive to the probable curtailment of their own activities and influence in the event of other newspapers springing to life in the capital of a new Administration. But it was sentiment that gave the movement the force which it ultimately acquired.

With his usual industry Lord Curzon studied the criticisms levelled against the scheme; but, if he hoped to find among them tempered and well considered arguments, he was disappointed. "So far, in the hundreds of articles and letters that I have read upon the subject, at any rate of the partition of Eastern Bengal, I have not found one single line of argument; there is nothing but rhetoric and declamation." Nevertheless he had no wish to act precipitately. "The scheme itself is by no means cut and dried," he wrote a little later. "Opinions differ very widely about it. We are ourselves open to any reasonable argument, and I have very little doubt, before its

final submission to you, that it will have been subjected to substantial modifications."

He was unfortunate in finding in Calcutta a unanimously hostile press. His popularity with the non-official European population had undergone a temporary eclipse on account of a case known as the Bain case, which had acquired an acute if ehpemeral notoriety a short time before. Mr. Bain, the manager of a tea plantation in Assam, had been convicted of a minor offence—that of a simple hurt—against a tea garden coolie and had been sentenced to six months simple imprisonment. Since the coolie had died of the injuries that he had received, the Government of Assam had brought the case to the notice of the Home Department of the Government of India; and that Department, acting on the advice of the Law Officers of the Crown in Calcutta, had appealed to the High Court against the inadequacy of the verdict and consequent sentence. The appeal had failed, and the Government had been roundly denounced in the English owned press for attempting to tamper with justice in the interests of the native population. Indeed, people spoke of the racial feeling which had been aroused as exceeding anything that had been known since the Ilbert Bill, in the chequered days of Lord Ripon. And so dominant a figure had the Viceroy become that, in the minds of nine people out of ten in India, the Viceroy was the Government. "You have perhaps ascertained," he wrote about this time, "that a sparrow can hardly twitter its tail without the action being attributed to direct orders issued by the present Viceroy." And it was the Viceroy, consequently, whose participation in the matter, had, as a matter of fact, been confined to writing "I agree" at the foot of the proposals put up to him by the Home Department, who incurred the odium arising out of the case.

For very different reasons, therefore, public opinion both Indian and European was prejudiced against this fresh illustration of the Viceroy's reforming zeal.

It was not Lord Curzon's way, however, to be deterred

from prosecuting a reform which he believed to be salutary, by opposition which he regarded as factious or ill-founded. And he decided to visit the scene of the trouble itself, both to study on the spot the case for change and to reply to the criticisms of those who opposed it. "I leave for Chittagong on February the 13th," he wrote in a letter to Lady Curzon, "thence to Dacca and Mymensingh and shall be back here on February the 28th The row about the dismemberment of Eastern Bengal continues in every accent of agony and denunciation. But so far no argument." On arrival he found ample scope for his activity. "I have had a very busy week since I last wrote," he observed in a letter to Lord George Hamilton, written from an Eastern Bengal district, "including some half a dozen speeches In two of them I explained and defended the proposed partition of Bengal and answered the ignorant criticisms that have been levelled against it."

His investigations satisfied him that the case for change in the direction which he advocated was even stronger than he had imagined. "I have little doubt from all that I have seen and heard in the regions affected that the project must be expanded somewhat, so as to carve a new Province out of Eastern Bengal to which Assam will be appended." The further he got from the capital the more attenuated did he find the administrative net. In the whole of the huge district of Mymensingh, with a population of 4,000,000, he found only one English Executive Officer. Moreover the Lieutenant Governor with his Head-quarters at Calcutta and Darjeeling, both far removed from the populous eastern districts with their own peculiar problems, could not possibly be expected to rule efficiently so vast an area. There were many even among the opponents of the scheme who were quite prepared to subscribe to this latter contention; but their remedy was a different one, and one to which Lord Curzon was resolutely opposed They would substitute for the Lieutenant Governor of the Province a Governor with an Executive Council as in Madras and Bombay. A Viceroy who had long since urged—though without success—the reduction of Madras and Bombay to the status of the other Provinces was hardly to smile on.

any such proposal.

> "Government by one man is infinitely better than Government by three men if it can be so managed. What we want in India is personal knowledge of localities and personal touch with the people. This can only be gained by the familiarity of the Head of the Administration with the places and people under his charge. With a triumvirate as a ruling power this is quite impossible, and Bombay and Madras are both, in my view, illustrations that the weak points are in excess of the merits of the system."[2]

Lord Curzon's speeches were models of closely reasoned argument. He tore the many ignorant objections brought forward by the opponents of the scheme to tatters; but his Addresses were conciliatory in tone, and serious arguments against the details of the scheme received his careful consideration. It was in the course of his tour that he realised that at least one plausible ground of opposition to the project could be removed by enlarging its scope—by increasing the amount of territory to be severed from Bengal, and thus creating a new Province, of sufficient size and importance to form a Lieutenant Governorship with a Legislative Council of its own. He perceived that opposition to the project, as originally devised, of handing over one or two of the districts of Bengal to swell the charge of the Chief Commissioner of Assam, was not without considerable force; and, in reply to the Addresses which he received, he made it clear that he was not unwilling to consider the larger scheme to which he made tentative allusions. He certainly believed that, as a result of his handling of the matter, the opponents of the scheme were silenced and the case for change was won. "So far as I can yet judge," he wrote on February the 22nd, "my speeches seem simply to have dumbfoundered the opponents. The Native papers are knocked silly and are left gasping, for I showed that all the wild things that they said would ensue are pure fabrications. As for the Calcutta English newspa-

2. Letter to the Secretary of State, January 28th, 1904.

pers, they also do not know what to do or say."[3] And he believed that the agitation would end in the Government case "being established with no great difficulty and with general consent."[4] This optimistic forecast was doomed to disappointment. If it had been merely a question of administrative efficiency, Lord Curzon's belief would have proved to be well founded. Judged by this test, his case was an overwhelming one; and when twelve months later he forwarded his proposals in their final shape for the consideration of the Secretary of State, he was able to claim for them that they were supported by "an almost unparalleled unanimity of opinion" on the part of all the officers consulted, as against an opposition inspired by purely political motives and directed to a purely political end.

Yet his speeches in Eastern Bengal in 1904, for all the felicity of their phrasing and for all the cogency of their reasoning, struck no responsive chord in the audiences to which they were addressed, for the simple reason that those who provided the driving force behind the storm and tumult that had been raised, cared not one jot for the logic of the case, but were prepared to fight—illogically, perhaps, but none the less passionately—for things which they prized far above administrative convenience or the reasoned arguments by which the case for change was backed. Bengal, in fact, was passing through one of those storms of unreasoning passion which were ever liable to sweep its emotional people off their feet. Their nerves were thrumming like the strings of a giant harp to the magic touch of the very sentiment which Lord Curzon was inclined too lightly to brush aside.

His attitude of almost contemptuous indifference toward the agitation which his proposals had aroused would, indeed, have been easier to understand had it not been for the fact that in his fervent championship of Indian interests, when

3. Letter to Lady Curzon, February 22nd, 1904.
4. *Ibid.*

these were found to be in conflict with the interests of Great Britain—the question of payment for the Indian delegation at the Coronation of the King in London is but one of many similar examples—he had laid ever increasing stress upon the growth of public opinion in India and the folly of ignoring it. So strongly had he pressed this point in recent controversies, that Sir A. Godley had commented somewhat pointedly, in a letter written early in the year, upon the deference which the Viceroy expected the Government at home to pay to Indian agitation. He could not quite understand, he said, "why what is called public opinion in India should have any more overwhelming weight either with Your Excellency's Government or with the Secretary of State than it had ten or fifteen years ago." Lord Curzon had been quick to reply.

> "To you in England it seems so clear that there is no difference between the end of Lord Dufferin's regime and the end of mine. To me in India it is transparent that there is all the difference in the world. What is the great difference at this end? It is that public opinion has been growing all the while, is articulate, is daily becoming more powerful, cannot be ignored. What is the origin of mistakes sometimes made at the other end? It is that men are standing still with their eyes shut and do not see the movement here."

Let there be no mistake, public opinion in India was no figment of his imagination, it was a reality and

> " . . . to contend that it does not exist, that it has not advanced in the last fifteen years, or that it may be treated with general indifference is, in my view, to ignore the great change which is passing over this country, and which I believe history will recognise myself as having done much (whether wisely or unwisely) to accelerate; viz. the lifting of India from the level of a Dependency to the position which is bound one day to be hers, if it is not so already, namely, that of the greatest partner in the Empire."[5]

5. Letter to Sir A. Godley, dated January 27th, 1904.

One may hazard the opinion that those who professed to give expression to public opinion in India would fairly have rubbed their eyes had they changed to fall upon sentiments so irreproachable coming from such a source. They would have doubted if they themselves could have put their case more cogently. Yet, when there arose in Bengal an outcry such as had seldom before been heard, a tumult whose repercussions reverberated through the land long after Lord Curzon himself had left its shores—an arresting symptom, surely, of that movement of which the Viceroy claimed to be aware, but to which he charged those in England with being blind—he appeared strangely insensible to its immense significance. "The united voice of the whole nation," declared an Indian writer at a later date, "rose and fell like one crying in the wilderness. None heeded it. The Viceroy persevered in his scheme of administrative division; and the English Parliament pronounced its benediction upon it. The political method of the Congress (i.e. constitutional agitation) had been tried and failed—and the people fell upon bitterness." 'How is such apparent inconsistency to be explained?

The fact of the matter is that Lord Curzon reserved to himself the right to decide when public opinion was an expression of views based on sober reasoning and supported by obvious justice, and when it was a mere frothy ebullition of irrational sentiment. In his championship of Indian interests against what he regarded as the exactions of the Secretary of State he pictured himself a modern Joshua leading the peoples committed to his charge along their divinely appointed way and protecting them against exploitation by a tyrannous and selfish world. In a letter to the Secretary of State he declared that in every case of divergent interest between India and Great Britain which he had been called upon to examine,

6. Mr. B. C. Chatterjee; see "The Heart of Aryavarta," p. 88. The statement quoted is an exaggeration; the Moslem population of Eastern Bengal stood to gain appreciably by the partition and the agitation was essentially Hindu in origin. But to its strength and persistence the history of subsequent years bears witness.

it was his conviction that justice was on the side of India. That was the criterion which he applied to all his judgments—the justice of the case. In the matter in question he had satisfied himself that the interests of the vast, inarticulate masses of the people were suffering; and it was in justice to them that a rearrangement of the administrative boundaries was demanded. "Efficiency of administration," he declared in a speech on the Budget a few weeks later, "is, in my view, a synonym for the contentment of the governed. It is the one means of affecting the people in their homes and of adding only an atom perhaps, but still an atom to the happiness of the masses." Against this requirement an agitation based on sentiment could not for a moment be permitted to prevail. In the same letter in which he had urged upon Sir A. Godley the importance of recognising the existence of a public opinion in India he had guarded himself against a possible supposition that he was arguing that it must always be deferred to. "I do not, therefore, argue that public opinion here is to be kowtowed to. No one has more consistently defied it in some matters than I." And for the reasons given above he had no hesitation in defying it now.

Even so, it is probable that he under-estimated the magnitude of the change in the outlook of the Indian educated classes, which for some time past had been taking place almost unobserved; but which was to be brought dramatically to light, before many days had passed by the victories of an Eastern people—the Japanese—over the vaunted might of the military Colossus of the West. And he returned to Calcutta from his tour of the Eastern Bengal districts, well satisfied with its results and with his mind made up with regard to the main lines on which a revised project should be shaped.

It may be convenient to anticipate a little the course of events in connection with the scheme. His final suggestions were not submitted to the Secretary of State until after his return from leave in England, in February 1905. Under the shape which they had then assumed, an entirely new Province

was to be formed by uniting the districts of Eastern and Northern Bengal with Assam. This new territory with its capital at Dacca was to comprise an area of 106,500 square miles, with a population of thirty-one millions, of which eighteen millions would be Muhammadans and twelve millions Hindus. It was to be made the charge of a Lieutenant Governor and to be endowed with its own Board of Revenue and Legislative Council. In judicial matters it was to remain under the jurisdiction of the High Court of Calcutta. The scheme, with few alterations received the sanction of the Secretary of State in June; the formation of the new Province was notified by Proclamation in September; the necessary legislation was passed on the 29th day of the same month, and in October the new Province of Eastern Bengal and Assam came formally into being.

## II

## RETROSPECT

### 1899—1905

Lord Curzon's Viceroyalty left India a little breathless. So long as his volcanic energy was being given free rein. there was little time to pause and take stock of what was being done. Everyone concerned was kept far too busy in the doing of it, while those who were in a position to look on were bewildered by the rapidity with which they were invited to pass from the contemplation of one reform to a consideration of the next.

His vivid personality impressed itself on all who came in contact with him. One who happened to be serving in Calcutta during a part of his Viceroyalty once said to me—"When you entered a crowded room you not only at once became aware of Lord Curzon's presence there, but you knew instinctively the exact part of the room in which he happened to be." He made himself felt by others because he lived life so abundantly himself. Work in India in the highest office open to a servant of the Crown—the dream of his childhood, as

he himself confessed, the fulfilled ambition of his manhood, his highest conception of duty to the State—served as a grind-stone on which his emotions, always acute, were constantly being sharpened to a fine point. It was in India that he tasted with palate toned up to the highest pitch of sensibility, both the intoxicating flavour of the wine of victory and the bitterness of deep draughts from the cup of defeat. How vividly he experienced the joy of success was apparent from the note of elation that rang through so many of his speeches; how deeply the corroding acid of suffering and despair ate into the fibre of his being was demonstrated when he wrote of India many years later, that over the Viceregal throne there hung "not only a canopy of broidered gold but a mist of human tears," and of the task of government that "it was not a pastime, but an ordeal; not a pageant alone, but as often a pain."[1]

The view which he took of his task as Viceroy was characterised throughout by a comprehensive thoroughness. He paid the same minute attention to detail in small things as in great. His exalted conception of the dignity of his office led him to attach full importance to his social obligations and to the ceremonial observances appertaining to the post. And nothing caused him greater annoyance than a display of indifference towards such matters on the part of those who, equally with himself, held offices which demanded the maintenance of an adequate standard. He insisted on the Members of Council keeping house and entertaining, and on all officials conforming to the rules laid down for their guidance in matters of ceremonial etiquette No detail escaped his notice, and deficiencies in the wardrobes of certain senior officials, that had long passed without comment, had speedily to be made good. "The uniform of a Member of Council," he wrote, "is fixed by the Lord Chamberlain's Regulations issued at home"; and he could see no reason why senior officials, who for years had shirked the knee breeches and stockings which the Lord Chamberlain decreed, should any

1. "British Government in India," Vol. II.

longer take refuge "in the less dangerous but irregular trouser." If they did not set an example at the top of the scale, how, he asked, could they expect their subordinates to conform lower down?

It was all part and parcel of his avowed intention of breathing new life into a system which showed unmistakable signs of being run down. Yet, whatever else he was, he was certainly no mere figurehead and for all his Oriental love of pomp and ceremony and his dramatic sense of the importance of display, he spent by far the greater part of his time in India with his coat off and his sleeves rolled up, in personal control of the administrative machine. His touch was felt in the most distant corners of the territory over which he held sway. He was not satisfied with the regular official communications which passed along the ordinary channels between the Local Administrations and the Central Government, and he insisted on the Governors and Lieutenant-Governors of Provinces and the Residents at the Courts of Native States corresponding with him direct. Any disinclination on the part of such officials to add private letters to their official communications exasperated him, and led in more than one case to marked exhibitions of Viceregal displeasure.

His relations with his colleagues and subordinates were not always happy. A reputation for satire, not wholly undeserved, tended to keep persons who did not know him well uneasily aloof Lord George Hamilton, most courteous of men, sought to warm him of the folly of giving unnecessary offence. "Try and suffer fools more gladly," he urged him; "they constitute the majority of mankind . . . Cases have come to my notice where persons have been deeply wounded and gone from you full of resentment in consequence of some incautious joke or verbal rebuke which they thought was harshly administered." But behind the dignified countenance of the Viceroy still lurked the spirit of the incorrigible boy. "I am quite certain no Viceroy ought ever to indulge in chaff or in a joke," he gravely replied; "and I have no doubt that my propensity to both forms of recreation (in a life of excessive tedium and

burden) is a snare No one understood Abraham Lincoln's jokes and stories while he was living; but I observe that they cast rather a halo round his temples now that he is gone." And no advice, however sound he himself knew it to be, could ever restrain him from plying a satirical pen. "A. is a very curious creature," he wrote on one occasion, "exceedingly vain, rather bombastic and consumed with the idea wherever he be that the hub of the universe is not far distant"; and again, "I never in my life saw two men quite like them. Their conversation is like a north-easterly gale, and for a time you are blown completely off your feet." It may safely be averred that the one feeling which he never aroused in those with whom he came in contact was that of indifference. He affected different persons in very different ways. There were some men in whom he aroused feelings of real affection; there were others in whom he excited emotions very much the reverse. By the majority of those who served under him in India he was regarded less with feelings of affection than of admiration and respect.

He was extremely jealous of his own prerogatives, and fiercely resented any undue assumption of independence on the part of those who were technically subordinate to him. Hence his extra-ordinary attempt to reduce the Presidencies of Madras and Bombay—"those picturesque excrescences on the surface of the most specialised Service in the world"—to the status of Lieutenant-Governorships "Oh ! these Governors, these Governors!" he once exclaimed. "What with their susceptibilities and the influence of their surroundings, they are a queer tandem to drive. Even the best of them turn round in their traces, look at you and ask what the d—l you mean?" And if he held strong views as to the correct attitude of individual officials towards himself, he had equally definite ideas on the subject of the deference which was due from Local Administrations to the Central Government. He mentioned to the Secretary of State a case in which he had given the Head of a Provincial Government the opportunity of withdrawing "a very improper letter which his Government had addressed to us." The offer had not

been well received. "I am sorry to say," Lord Curzon proceeded, "he replied in the spirit and tone of a petulant schoolboy. He assumed full responsibility for every word and every line, and added that of course if I laid down that Local Governments were never to disagree with the Government of India, or to criticise the action of the latter, he would issue orders to that effect. Really this is too puerile." Such incidents showed that Lord Curzon's sense of humour—great though it undoubtedly was—was not without its limitations. For it may be confidently asserted that no one would have been more astonished or more indignant than the Viceroy himself, had Lord George Hamilton hinted—as, pondering upon certain poignant memories of his own relations with him he might have done—that examples of very similar conduct might have been brought to his notice with the aid of a mirror.

But such things were the outcome of temperament and were mere excrescences on the surface of a Viceroyalty which was great in the manner of its discharge, greater still in the measure of its fruitfulness, greatest of all in the high conception of duty by which it was inspired.

For the extent of the legislative and administrative achievements of his term of office Lord Curzon himself deserves the credit. Here, as elsewhere, the "middle-class method," of which he so often boasted, stood him in good stead. For it must be clear to all who have followed the story of his administration unfolded in these pages, that if he governed with imperious, and even, as some thought, with ruthless energy, he did so also on a carefully thought out plan. In every Department of Administration it was his ambition to formulate a policy not based on *a priori* reasoning, still less on personal predilection, but on a broad foundation of ascertained fact. In all important matters the invariable preliminary to the framing of a policy was the careful examination of all the ascertainable data, by bodies of men selected for their qualifications for collecting, collating and drawing deductions from the facts. Throughout the period of Lord

Curzon's Viceroyalty there was scarcely a day when some Commission was not sitting, or some expert was not at work collecting, sifting and generally preparing material for the administrative or legislative mill.

Lord Curzon's energy, and driving force are, indeed, proverbial; and it might with justice have been said of him, as Lord Rosebery said of Napoleon, that "in all the offices of State he knew everything, guided everything, inspired everything," and that "his inexhaustible memory made him familiar with all the men and all the details as well as with all the machinery of Government." Lord Morley did actually say of him, not without reason, that England had never sent to India a Viceroy his superior if, indeed, his equal in force of mind, in unsparing remorseless industry, in passionate and devoted interest in all that concerned the wellbeing of India.[2]

It is sometimes asked how it was that Lord Curzon, with all his genius for administration and the varied powers which compelled universal admiration, failed altogether to appreciate the significance of—still more to sympathise with—the rapid growth of national self-consciousness which, especially in Bengal, was taking place before his eyes? The answer is undoubtedly to be found in the deep-rooted convictions which he entertained as to the nature of Great Britain's task in India. He was not one of those who held that India had been won by the sword and must be held by the sword. But he was most emphatically amongst those who believed that the destinies of the Indian peoples had been entrusted by Providence to British keeping. "To me," he declared when speaking of British rule in India at the Guildhall in the summer of 1904, "it is the greatest thing that the English people have done or are doing now; it is the highest touchstone of national duty."

Few, perhaps, would have regarded Lord Curzon as a

2. In a speech on February 23rd, 1909.

particularly religious man; and in the matter of theological dogma or of the outward forms of church practice he was not. "They tell me," wrote a friend, some time after he left Oxford, "that your old church going habits have broken down and that you have put away religion? Is this so? If so, why?" But deep down below the cultured and sophisticated surface of the man burned a simple and very real religious faith—instinctive, rather than based on any process of reasoned thought, and almost childlike in its unquestioning acceptance of the presence, behind the chequered scroll of human history, of divine and beneficent purpose. It was no mere coincidence that he should have remarked to a friend in India, in words almost identical with those which he had employed when making a similar confession to a friend at Oxford twenty years before, that he never embarked on any undertaking, however trivial, without resorting to prayer. He never doubted, therefore, that behind the achievements of his fellow countrymen in India was the invisible hand of God.

> "If I thought it were all for nothing," he exclaimed when addressing a gathering of his own people in Calcutta, "and that you and I, Englishmen and Scotchmen and Irishmen in this country, were simply writing inscriptions on the sand to be washed out by the next tide; if I felt that we were not working here for the good of India in obedience to a higher law and a nobler aim, then I would see the link that holds England and India together severed without a sigh. But it is because I believe in the future of this country and the capacity of our own race to guide it to goals that it has never hitherto attained, that I keep courage and press forward."[3]

In such a view of India there was no room for an Indian Intelligentsia aspiring to lead and speak for the masses; and in so far as the Indian educated classes claimed to be the prophets of what they themselves spoke of as "the new

3. Speech at a banquet of the Chamber of Commerce, February 12th 1903.

Nationalism" which was stirring in the land, he simply brushed them aside. The India which he pictured to himself was a land of vast spaces peopled by a patient and primitive peasantry, content to raise their crops and rear their cattle and to leave all other things to the superior and, on the whole, beneficent Power to whom chance or Providence had entrusted them. This is clear from his own admission frequently made, "Amid the numerous races and creeds of whom India is composed," he declared in the course of his farewell speech at the Byculla club in Bombay, "while I have sought to understand the needs and to espouse the interests of each—my eye has always rested on a larger canvass, crowded with untold numbers, the real people of India, as distinct from any class or section." He was sometimes assailed with doubts and questionings, puzzled by the tremendous mystery of it all—"Your public men in England," he told his audience at the Guildhall, "have not before them the haunting question which is always before us in India, like a riddle of the Sphinx—what is in the heart of all these sombre millions, whither are we leading them, what is it all to come to, what is the goal?" Yet after all what need to ask?

> "The ball no question makes of Ayes and Noes,
> But right or left as strikes the Player goes;
> And He that toss'd thee down into the Field,
> He knows about it all—He knows—He knows!"

And from idle speculation Lord Curzon turned with renewed vigour to the task in hand—that of securing justice for, and some amelioration of the lot of, the Indian peasant. If the administrator could raise, even by a little, the level of material comfort and well-being in the lives of those who were the bone and sinew of the country, those by the sweat of whose face the soil was tilled, those who should be the first and final object of every Viceroy's regard, he had earned his reward.

He was equally outspoken in his views on the subject of political concessions. Such concessions could not help, they

The more thoughtful among the Indian Nationalists showed a subtle appreciation of his point of view. "His idea clearly is to strengthen England's hold on India and to establish her here as India's permanent overlord, yet at the same time to secure some sort of autonomy subject to this overlordship for the Indian Government as representing the interests of the Indian people" And they gave point to their analysis by contrasting Lord Curzon's aims with the policy of Lord Ripon. "Lord Ripon's ideal was to secure, by slow degrees, autonomy for the *Indian people.* Lord Curzon's is to secure it for the *Indian Government*"[5] They did not deny that his term of office had been fruitful in measures designed to benefit the agricultural classes; but viewing his policy from their standpoint, they attributed his solicitude for the masses not so much to an altruistic desire to render them service, as to a Machiavelian design to rivet the overlordship of Great Britain more firmly upon the country. They themselves perceived that the conflict between the spirit of the new Nationalism and foreign domination must eventually be decided by the great body of the agricultural population; and they credited Lord Curzon with a similar perspicacity. "He has, therefore, been trying to win the good will of the people, and to prevent any powerful combination between them and the educated middle classes... The whole body of agrarian legislation undertaken by His Lordship's Government has, evidently, also this one end in view. Remission of land-revenue, institution of agricultural banks, revision of the famine code, inauguration of a new irrigation policy—all these are clearly meant to ingratiate the present rule and the present *regime* into the favour of the immense agricultural population of this country."[6]

This view, though natural enough in the circumstances in which it was formed, did Lord Curzon very much less than justice. And the verdict of history will assuredly be that great as his Viceroyalty was, judged merely by the nature and extent of its legislative and administrative achievements, its

5. *New India* of August 20th, 1903.
6. *Ibid.*, July 15th, 1905.

was infinitely greater by reason of the exalted standards of duty and honour by which it was inspired. The grandeur of his conception of the task entrusted to him fired the idealism in his nature and called forth from the depths of his being a passionate desire to build on a firm foundation of righteousness and justice. "The sense of being able to do something, to effect some good, to leave something better than you found it, is a perpetual incentive and consolation."[7] Men who had known him and observed him closely in the days when he had passed from youth to manhood, who had plumbed the depths of his keen enthusiasm, his generous impulses, his high resolves and his fine ideals, perceived clearly enough the spirit in which he worked. "Your service does not seem to me in any way to be prompted by any selfish motive," wrote one who had enjoyed the privilege of that close intimacy with him which grew up within the charmed circle of the Crabbet club, "but only by a Titanic upheaving force regulated, controlled and directed by reasoning patriotism. . . . What a miracle you are. No other man that I can see in the public service who is a poet, who will work for a noble ideal. And what makes it finer still," he added with a touch to quaint humour redolent of the whimsies of Crabbet club days, "is that you cannot hope to found a dynasty. No Minister, however great, is anything more now than the managing director of a joint stock company."[8]

Certain it was that to Lord Curzon the task committed to him was most amazingly worth doing. "Here we do big things on a big scale," he wrote to Rennell Rodd, "and the sense of spaciousness would delight your imaginative sense." Indifference at home to the work of Englishmen in India filled him with despair. "How few are there who know anything or care anything about the British dominion in India, though it is the miracle of the world."[9] For him British achievement in India bore unimpeachable witness to the character

7. Letter to Mrs. H. White, dated March 9th, 1900.
8. Letter from Mark Napier, May 3rd, 1903.
9. Letter to Sir F. E. Younghusband, September 19th, 1901.

of the British race. The basis of British dominion in India, he declared at the Guildhall, in 1904, was neither military force, nor civil authority, nor prestige, though all these were part of it. But if is was to endure, it must rest on a more solid foundation—"it must depend on the eternal moralities of righteousness and justice."

Even-handed justice between man and man and between race and race—that was the test by which he would himself have desired that posterity should judge him. His constant reference to it in private conversation, in a voluminous correspondence and in public speech was not cant; it was the spontaneous expression of an ever present thought. It coloured the whole of his outlook upon Indian affairs and was a guiding principle from which he never departed. "I have never wavered in a strict and inflexible justice between the two races," he wrote. "It is the sole justification and the only stable foundation of our rule."[10]

It was pursuit of this ideal that enabled him, one of the most sensitive of men, to scorn popularity and to press forward, turning neither to the right hand nor to the left, along the narrow way of duty. He knew well how easy it would be to achieve popularity with one race or the other and even better, perhaps how easy it was to loose it. And it is one of the most convincing testimonies to the rigid impartiality of his rule, that with Indians and Europeans alike he passed successively from pinnacles of popularity to corresponding depths of disapprobation. "In my own case during the last five years," he wrote, describing the attitude of the British community in India towards him, "he,"—the non-official European—"has passed from gusts of enthusiastic applause to whirlwinds of tempestuous denunciation !" Native opinion was equally unstable. "The organ that has denounced you one day as a fiend," he told Mr. Brodrick, "will laud you the next day as a God." That he was acutely sensitive to criticism

10. Letter to Lord George Hamilton, September 23rd, 1903.

and denunciation is undoubted. "Much gratitude is not born in India," he wrote in a moment of great bitterness, "and the stoutest heart sometimes quails under the misrepresentation and abuse." And he confessed to having given orders, on his return to India in December 1904, that certain newspapers, both native and European, which were indulging in violent attacks upon him, were not to be shown to him so long as they persisted in their abuse. "It cannot do good to a man to be overpraised. But equally can it not do good to him to be over abused, for it tends to poison the mind and embitter the heart."[11]

But always at times of emotional stress there welled up from his innermost being, derived from the simple and child-like faith that was his, the sustaining strength of a great moral courage, on the wings of which he rose superior to all weaknesses and doubts. And as he stood for the last time addressing a gathering of his own people on the shores of India, it was in glowing sentences and with legitimate pride that he held up before them the tenets of a great ideal—

> "A hundred times in India have I said to myself, Oh that to every Englishman in this country, as he ends his work, might be truthfully applied the phrase 'Thou hast loved righteousness and hated iniquity.' No man has, I believe, ever served India faithfully of whom that could not be said. All other triumph are tinsel and sham. Perhaps there are few of us who make anything but a poor approximation to that ideal. But let it be our ideal all the same—to fight for the right, to abhor the imperfect, the unjust or the mean, to swerve neither to the right hand, nor to the left, to care nothing for flattery or applause of odium or abuse—it is so easy to have any of them in India—never to let your enthusiasm be soured or your courage grow dim, but to remember that the Almighty has placed your hand on the greatest of his ploughs, in whose furrow the nations of the future are germinating and taking shape, to drive the blade

11. Letter to Lady Curzon, December 13th, 1904.

a little forward in your time, and to feel that somewhere among these millions you have left a little justice or happiness or prosperity, a sense of manliness or moral dignity, a spring of patriotism, a dawn of intellectual enlightenment or a stirring of dut where it did not exist before—that is enough, that is the Englishman's justification in India. It is good enough for his watch word while he is here, for his epitaph when he is gone. I have worked for no other aim. Let India be my judge."

# 29

# MUSLIM POLITICAL MOVEMENT*

## I

## SIR SAIYID AHMED KHAN

### I

The virtual abstention of Muhammadans from the Congress movement was largely due to the influence of Sir Saiyid Ahmad, and it is worth while to turn aside from the main course of my narrative in order to give some account of this great man.

Sir Saiyid Ahmad was born at Delhi in the year 1817, and belonged to a family of considerable note at the court of the Moghal Emperors. In the year 1837 he obtained a clerical post in the British service. Twenty years later he had risen to the position of a Subordinate Judge, and when the Mutiny broke out at Bijnor in these provinces, he gave noble proofs of loyalty. "No language that I could use," said a Lieutenant-Governor in subsequently referring to Saiyid Ahmad's Mutiny services, "would be worthy of the devotion which he showed."

In 1858 Saiyid Ahmad wrote in his own vernacular an account of the causes of the revolt which was long afterwards translated and published in English. His appreciation of British rule in India was by no means wholesale, and his criticism deserve our careful consideration even now. It is remarkable that he attributed the outbreak largely to the absence of all Indians from the Supreme Legislative Council.

* From Sir Verney Lovett : *A History of Indian Nationalist Movement*, pp. 39-42; 53-60;

"The evils," he wrote, "which resulted from the non-admission of natives into the Legislative Council were various. Government could never know the inadvisability of the laws and regulations which it passed. It could never hear the voice of the people on such a subject. The people had no means of protesting against what they might feel to be a foolish measure, or of giving public expression to their wishes. But the greatest mischief lay in this, that the people misunderstood the views and intentions of Government. They misapprehended every act, and whatever law was passed was misconstrued by men who had no share in the framing of it and hence no means of judging of its spirit. . . . I wish to say that the views of Government were misconstrued by the people, and that this misconstruction hurried on the rebellion. Had there been a native of Hindustan in the Legislative Council, the people would never have fallen into such errors. . . . There was no real communication between the governors and the governed, no living together or near one another as has always been the custom of the Muhammadans in countries which they subjected to their rule. Government and its officials have never adopted this course, without which no real knowledge of the people can be gained." Further on he asserted : "Now, in the first years of the British rule in India, the people were heartily in favour of it. This good feeling the Government has now forfeited, and the natives very generally say that they are treated with contempt. A native gentleman is, in the eyes of any petty official, as much lower than that official as that same official esteems himself lower than a duke. The opinion of many of these officials is that no native can be a gentleman. . . . There are many English officials who are well-known for their kindness and friendly feeling toward the natives, and these are in consequence much beloved by them, are, to use a native expression, as the sun and moon to them, and are pointed out as types of the old race of officials."

After the Mutiny Saiyid Ahmad exerted himself strenuously to make peace between the Government and his co-religionists and to reform the Muhammadan educational system. Although his boyhood had known no other, he was convinced that the

ordinary Muhammadan education was inadequate and out of date "Cure the root," he said, "and the tree will flourish." He did all he could to "cure the root," and, at the age of fifty-two, travelled to England to enter his son at Cambridge University, and to see what measures were desirable for the establishment of a Muhammadan Anglo-Oriental College in Upper India. This he finally accomplished, and the famous College at Aligarh is his abiding monument. While affording religious instruction to Muhammadans alone, it admits scholars of all faiths; and the whole attitude of its great founder, who frequently and strongly championed the tenets of Islam, was invariably tolerant and liberal. He rejoiced in the spread and growth of English education in India, believing that enlightenment meant loyalty to Britain. His spirit is reflected in the address presented to Lord Ripon in 1884 by the Aligarh College Committee, which contains the following passage :

"The time has happily passed when the Muhammadans of India looked upon their condition as hopeless, when they regarded the past with feelings of mournful sorrow. Their hopes are now inclined to the promise of the future; their hearts, full of loyalty to the rule of the Queen-Empress, aspire to finding distinction and prominence among the various races of the vast Empire over which Her Majesty holds sway. It is to help the realisation of these aspirations that this College has been founded; and we fervently hope that among the results which may flow from our system of education, not the least important will be the promotion of friendly feelings of social intercourse and interchange of amenities of life between the English community in India and the Muhammadan population."

In spite of his strong liberal sympathies, Sir Saiyid Ahmad would have nothing to do with the Congress, and advised his co religionists to follow his example. Although he had his enemies and detractors, his influence was enormous, and it determined the attitude of the great majority of his people. Some years ago one of his co-religionists attributed this

attitude to three causes :

(a) the violence of many publications distributed broadcast before the launching of the Congress;
(b) the excessive blandishments of the Congress leaders;
(c) the advocacy by the Congress of elective principles, and open competition, with no regard for minorities,

II

THE DELHI DURBAR OF 1903

The death of Queen Victoria profoundly affected public sentiment, for her messages to India on great occasions had taught Indians to regard her as their own Sovereign. At the time of the 1903 Durbar, which celebrated the accession of King Edward, the political barometer seemed steady.

The ceremonies were splendid; the speech of the Viceroy, Lord Curzon, disclosed no presentiment of the difficulties and trials which were to come with an early morrow.

"Princes and people," he said, "if we turn our eyes for a moment to the future, a great development appears with little doubt to lie before this country. There is no Indian problem, be it of population, or education, or labour, or subsistence, which it is not within the power of statesmanship to solve. The solution of many is even now proceeding before our eyes. If the combined Armies of Great Britain and India can secure combined peace upon our borders; if unity prevails within them, between princes and people, between European and Indian, and between rulers and ruled, and if the seasons fail not in their bounty, then nothing can arrest the march of progress, the India of the future will, under Providence, not be an India of diminishing plenty, of empty prospect, or of justifiable discontent; but one of expanding industry, of awakened faculties, of increasing prosperity, and of more widely distributed comfort and wealth. I have faith in the conscience and the purpose of my own country, and I believe in the almost illimitable capacities of this. But under no

resulted in a serious lowering of standards. The Calcutta University Syndicate, which presided over English education in that province, and regulated the standards of the examinations which lay before the thronging candidates for Government service, had exercised little control over secondary schools, leaving them largely to local committees. These committees consisted mainly of men of small ideas, who thought only of providing sufficient teaching to meet examination requirements. Moral influences and training of character they comparatively disregarded; and, cutting down the cost of buildings, and salaries of schoolmasters, to the lowest possible levels, they provided the cheapest instruction that they could contrive[1] Vainly did the Government emphasise its view

1. The following passages from a speech by the Hindu headmaster of a high school in a prominent city of the United Provinces show clearly the pitfalls which beset popular education in India :

"This school owes its expansion more to the Government and the Government officials than to the general public, unless fees are regarded as a public contribution.

"I make these remarks not because we fail to acknowledge the help received from the public, but to emphasise the fact that the cause of the education of our nation's children occupies only a secondary place in the minds of the rich men and other people. We have yet to realise, the full responsibility of educating our children. Many parents seem to feel absolved from all responsibility after sending their children to school, without inquiring whether the school concerned is a recognised institution or not. In this place there have sprung up a number of schools from which the sanctity that should be attached to an educational institution is entirely absent, and of which money-making seems to be the primary aim. The gullible parents are ready to pay exorbitant fees, and those also in advance for many months, when they are promised that their boys would be put up three or four classes above the one for which they were really fit. It must be acknowledged that this state of affairs calls for the necessity of opening more schools of an approved type. But I have to complain even against the parents whose sons read in a recognised school, for he, too, is alive to his responsibility only when a seat has to be secured for them—not an easy endeavour in these days—or perhaps when they fail to obtain promotion. Only lately I had an occasion to address a circular letter to the guardians of such students as failed in two subjects at the first periodical examination, with a view to conferring with them regarding

that it was "of little use to spend money on schools where the teachers were either inefficient or unable to maintain discipline or a healthy moral tone." No serious attempt was made to alter things, and grave abuses became increasingly apparent throughout the whole Indian school and university system. Lord Curzon determined to insist on thorough reforms. He threw all his energies into the task, appealing earnestly for non-official co-operation, and emphasising the importance of the interests at stake. The education which is the necessary preliminary to all professional and industrial work was obviously a great national concern; it was "the key to employment, the condition of all national advance and prosperity, and the sole stepping-stone for every class of the community to higher things." It was a social and political, even more than an intellectual demand.

The Congress leaders, however, mainly because they suspected that Lord Curzon's secret intention was to check the growing numbers of the restless English-educated classes, strenuously opposed the Viceroy, and succeeded in impressing their ideas on the minds of many persons incapable of appreciating the realities of the situation. In spite of their opposition, Lord Curzon passed a Universities Act of considerable importance; but he left India suddenly, his work came to an abrupt termination, and drastic improvement in secondary education has hung fire in Bengal from that day to

the progress of their wards, but not more than two per cent cared to respond.

"When such is the apathy of the parents, the indifference at home must be great indeed. Far be it from me to attribute want of affection to the parents for their children, but this affection is more in evidence when you see the little one at school patronising the sweetmeat vendor than in properly regulating their life at home. The teacher hopes that his work would be supplemented with adequate supervision at home, but the parents expect that a few hours at school should make their sons paragons of all virtues. To my mind one of the problems of education in India is to make the home of the child in proper unison with his school If this were done, many social, educational, and, I dare say, even political difficulties could be solved, and our boys would not be exposed to dangers, as unfortunately they are now."

this. The Viceroy's efforts had, however, produced restlessness and resentment among the literate classes, and these feelings were widened and deepened by the Partition agitation.

No one has ever seriously denied that the old province of Bengal, Bihar and Orissa was, by reason of its magnitude, an impossible and, because impossible, a sadly neglected charge.

The Supreme Government had been slow to realise that times had altered since 1785, when Warren Hastings, reviewing his eventful administration, wrote that the submissive character of the people of this province, the fewness of their wants, "the abundant sources of subsistence and of trafficable wealth which may be drawn from the natural productions, and from the manufactures, both of established usage and of new institutions, left little to the duty of the magistrate; in effect nothing but attention, protection, and forbearance." No soldiers of the Indian Army had been drawn from Bengal, and Bengalis had taken no share in the rebellion of 1857. But as prosperity and population increased, as English education spread, administration became more complex, and the character of the educated classes stiffened and altered. The charge of 78,000,000 of people, including the inhabitants of the largest and most Europeanised city in the East, was far too onerous for one provincial administration; and, after considerable deliberation and consultation, Lord Curzon decided to divide the old province and Assam into the new provinces of Western Bengal, Bihar and Orissa, and Eastern Bengal and Assam

Administratively this was the best arrangement. It afforded most promise of opening up and developing the rich, difficult, and populous water districts of Eastern Bengal. But it split Bengal proper into two, and gave Muhammadans a decided majority in the Eastern Province. It was, therefore, strongly opposed by the Congress leaders at Calcutta, the centre of Hindu legal, educational, and political activities. They proclaimed that a foreign government wished to insult and efface Bengali nationality. When the partition was carried out, they

enlisted ardent support from sympathisers all over India, proclaimed a boycott of European goods, to be effected by the aid of students and schoolboys, and organised a violent agitation on a widespread and elaborate scale. Many of them were moved by a new kind of sentiment. The achievements of Japan had profoundly affected Indian political thought. Their plans took time to develop, and were largely suspended during the visit of the Prince and Princess of Wales, which passed off successfully in the cold season of 1905 6. Before the Congress of 1905 met at Benares, Lord Curzon had left India, and the Unionist Ministry in England had been followed by the representatives of a mammoth Liberal majority. Lord Minto had succeeded to the Viceroyalty, and Mr. John Morley had been appointed Secretary of State for India.

The events which closed the administration of the departing Viceroy were destined to influence profoundly the subsequent course of affairs. No Viceroy has ever played a part larger than the part played by Lord Curzon. His influence on all branches of administration was vigorous and beneficial; he placed the arrangements for the security of the North-West frontier on a stable footing; he set an example of industry and devotion which was finely expressed in his memorable parting words.[1]

1. "Oh that to every Englishman in this country, as he ends his work, might truthfully be applied the phrase : 'Thou hast loved righteousness and hated iniquity' No man has, I believe, ever served India faithfully of whom that could not be said. Perhaps there are few of us who make anything but a poor approximation to that ideal; but let it be our ideal all the same To fight for the right, to abhor the imperfect, the unjust, to swerve neither to the right hand nor to the left. . . . Never to let your enthusiasm be soured, or your courage grow dim, but to remember that the Almighty has placed His hand on the greatest of His ploughs in whose furrow the nations of the future are germinating and taking shape, to drive the blade a little forward in your time —that is enough, that is the Englishman's justification in India. It is good enough for his justification while he is here, for his epitaph when he is gone."

But we can see now that his bold and confident nature led him to underrate the combination between the opposition to the Partition of Bengal and the new spirit which had arisen in India. The loosening of control which was certain to follow on his departure; the number and bitterness of his enemies; their eagerness and the anxiety of those who resented British rule to seize any opportunity of misinterpreting all government measures; the plastic material which lay ready to their hands; all these were factors of so far undiscovered potency. But, when accounts are balanced, posterity will say, with Lord Morley:

"You never will send to India a Viceroy his superior, if, indeed, his equal, in force of mind, in passionate and devoted interest in all that concerns the well-being of India, with an imagination fired by the grandeur of the political problem that India presents. You never sent a man with more of all these attributes than when you sent Lord Curzon"

III

## ORIGIN OF THE MUSLIM LEAGUE

Sir Saiyid Ahmad had died in 1898, shortly after rendering a last valuable service to the British Government. In order to combat pan-Islamic sentiment excited by the Greco-Turkish War, he contributed articles to the *Aligarh Institute Gazette*, denying the pretensions of Sultan Abdul Hamid to the Khalifat (i.e. the temporal and spiritual succession to the Prophet Muhammad), and preaching loyalty to the British rulers of India even if they were "compelled to pursue an unfriendly policy toward Turkey." A great leader had passed from Muhammadan India and left no successor. Times, too, were changed, and new problems had arisen. The Muhammadans had become uneasy as to the place which they would occupy in the reforms which were under discussion in 1906; and on October 1st of that year their principal leaders, headed by His Highness the Agha Khan, presented an address to the Viceroy gratefully acknowledging the peace, security, and liberty of person and worship conferred by the British Govern-

ment, and emphasising the fact that one of the most important characteristics of British rule was the deference paid to the views and wishes of all races and religions. The object of the deputation was to present the claims of 62,000,000 of Muhammadans to a fair share in any modified system of representation that might be contemplated, the share to be commensurate with their numbers *and political importance*. Representative institutions of the European type were new to Indians, and, in the absence of the greatest caution, dangerous to their national interests. The deputation deprecated a system of individual enfranchisement, and complained of the monopoly of official influence by one class, pointing out that no Muhammadan Judge sat in any Supreme Court. Continuing, the address urged the need of a Muhammadan university, and insisted on the importance of local boards and municipalities as the basis of all local self-government.

The Viceroy replied that :

"although British ideas must prevail, they must not carry with them an impracticable insistence on the acceptance of political methods. . . . You justly claim that your position should be estimated not merely on your numerical strength, but in respect of the political importance of your community and the service it has rendered to the Empire. I am in accordance with you."

Thus originated the concession to minorities of communal representation. The Muslim League then came gradually into widespread existence. Meetings were held at Dacca in 1906 at the invitation of the late Nawab Salim-ullah Khan, who was making a strong stand for law and order in Eastern Bengal, and at Karachi in 1907 under Sir Adamjee Peerbhoy. The resolutions passed related to adequate Muslim representation in the new Councils, to Muslim places in the public service, and to Muslim loyalty. In March 1908 a meeting was held at Aligarh under the presidency of the Agha Khan.[1] A branch

1. Chief of the Khoja sect. He holds a position of great authority.

had been started in London under the Honourable Mr. Amir Ali. The principles of the promoters of the League were thus expounded in a letter addressed by the Agha Khan to a meeting of the Deccan branch. He wrote that amid much that was good in India, they saw a growing indiscipline and contempt for authority, a striving after change without perceiving whither change would lead, and the setting up of false and impracticable constitutional ideas. No man who loved his country as the Indian Muslims did could stand idly by and see India drifting irrevocably to disaster. Prosperity and contentment could only be reached by processes of development and evolution working on natural lines. These processes required the existence of a strong, just, and stable Government, a Government securing justice and equal opportunity to all, minorities as well as majorities It was the duty of all patriots to strengthen British control under which had been effected the amazing progress of a century.

The Muhammadan representations came none too soon, for, on November 2nd, 1908, the fiftieth anniversary of Queen Victoria's Proclamation, King Edward VII issued a second Proclamation to the Princes and people of India It claimed that "the incorporation of many strangely diversified communities and of some 300,000,000 of the human race, under British guidance and control, has proceeded steadfastly and without pause: that difficulties such as attend all human rule had been faced by servants of the British Crown with toil and courage and patience, with deep counsel and a resolution that has never faltered nor shaken." It undertook to repress anarchy and to take continuously steps towards obliterating distinctions of race as the test for access to posts of public authority. It announced that the time had come to "prudently extend the principle of representative institutions." It foreshadowed reforms in "politic satisfaction" of the claims of important classes "representing ideas that have been fostered and encouraged by British rule."

These reforms were announced by Lord Morley on the 17th of the following month. They had been under conside-

ration for two years, and every effort had been made to gauge the trend of public opinion and to consult all interests concerned. The reforms were on a large and generous scale. The Legislative Councils were greatly enlarged. The Provincial Councils were given non official majorities So far the nearest approach to the election of non official members had been nominations by Government upon the recommendations of majorities of the voters on certain public bodies. Now Parliament was asked, "in a very definite way, to introduce election working alongside of nomination with a view to the due representation of the different classes of the community." Any member was to be allowed to divide his Legislative Council on financial questions, and all such Councils were to be invested with power to discuss matters of public and general importance and to pass recommendations or resolutions to the Executive Government. The Government would deal with such resolutions as they thought fit; but the concession was one of great importance, and has materially influenced the course of political events. Further, the Executive Councils of the Supreme and Subordinate Governments were to receive Indian members. Lord Morley had already appointed two Indians, one Hindu and one Muhammadan, to the Council of the Secretary of State. His reforms were, with slight variations, accepted by both Houses. In explaining them, he took pains to disclaim all intention of inaugurating a system of parliamentary government in India. Such a system he apparently considered unsuited to Indian conditions, and for this reason, while conceding non-official majorities in the Provincial Legislative Councils, he retained the official majority in the Imperial Council. He explained this distinction in the following words :

"But in the Imperial Council we consider an official majority essential. It may be said that this is a most flagrant logical inconsistency. So it would be on one condition. If I were attempting to set up a parliamentary system in India, or if it could be said that this chapter of reforms led directly or indirectly to the establishment of a parliamentary system in India, I, for one, would have nothing at all to do with it. I do

not believe—it is not of very great consequence what I believe, because the fulfilment of my vaticinations could not come off very soon—in spite of the attempts in Oriental countries at this moment, interesting attempts to which we all wish well, to set up some sort of parliamentary system—it is no ambition of mine at all events to have any share in beginning that operation in India. If my existence, either officially or corporeally, were to be prolonged twenty times longer than either of them is likely to be, a parliamentary system in India is not at all the goal to which I would for one moment aspire "[1]

It is, however, not surprising that the reforms were regarded by Indian politicians as a decided step toward parliamentary government, for it is difficult to reconcile Lord Morley's words with his establishment of non official majorities in the provincial Legislative Councils, or with his policy of prudently extending "the principle of representative institutions." Lord Curzon, in the House of Lords on February 23rd, 1909, criticised the new measure in the following terms ;

"I wonder how these changes will, in the last resort, affect the great mass of the people of India, the people who have no vote and have scarcely a voice. Remember that to these people, representative government and electoral institutions are nothing whatever. The good government that appeals to them is the government which protects them from the rapacious money-lender and landlord, from the local vakil, and all the other sharks in human disguise who prey upon these unfortunate people. I have a misgiving that this class will not fare much better under these changes than they do now. At any rate I see no place for them in these enlarged Councils which are to be created, and I am under the strong opinion that as government in India becomes more and more parliamentary—as will be the inevitable result—so it will become less paternal and less beneficent to the poorer classes of the population."

1. The difficulties of forming parliamentary electorates in India are clearly set forth in paragraph 263 of the Montagu-Chelmsford Report.

The reception accorded to these changes by the Congress, now void of Extremists, was enthusiastic. A Bengali deputation to the Viceroy presented an address containing the following passage: "It is a step worthy of the noble traditions of the Government which has given us liberty of thought and of speech, high education, and local self-government." The late Mr. Gokhale, the leader of the Moderates, whose outlook had altered since December 1906, spoke of "the generous and fair nature" of the reforms, and urged that they should be gratefully accepted. Co-operation with Government must take the place of mere criticism of Government. *The attitude of constant antagonism must be abandoned.* Hindus, Muhammadans, and Parsis were mostly a dreamy race, and the Hindus were especially so.

"I admit," he said, "the importance of dreams in shaping our aspirations; but in practical matters we have to be practical men and remember two things. Life is not like writing on a clean slate. We have to take the words existing on the slate and add other words so as to make complete sentences and produce a harmonious meaning. Secondly, whatever you may ask for is not the same thing as that which you will get, or will be qualified to, in practice, maintain if you get."

The Muhammadans, however, asked for representation in excess of their numerical strength, and arrangements were made to meet their wishes in accordance with the undertaking given by Lord Minto and subsequently endorsed by Lord Morley in the House of Lords on February 23rd 1909.

For this and other reasons the regulations which were framed in India to carry into effect the intentions of the British Parliament failed in some measure to give complete satisfaction to advanced Hindus. Still, on the whole, reasonable Progressives were satisfied; and the Conservative classes, whose interests had been carefully considered in the regulations, were pleased with the stir and novelty of the new order of things.

The partition of Bengal, however, was still denounced by

the Bengali Moderate leaders ; and on the stream of anarchic crime the reforms produced no effect. The police had been strengthened in Bengal, and remediary measures had been adopted; but it was plain to all that the seeds so long and widely sown among the youth of the country by deliberate propaganda and poisonous newspapers was still bearing abundant fruit. At Poona, on July 8th, 1909, Mr. Gokhale again urged loyal acquiescence in British rule for two reasons :

"One that, considering the difficulties of the position, Britain had done very well in India, the other that there was no alternative to British rule and could be none for a long time. . . They could proceed in two directions : first toward an obliteration of distinctions, on the grounds of race, between individual Indians and individual Englishmen, and second by way of advance toward the form of government enjoyed in other parts of the Empire. *The latter was an ideal for which the Indi n people had to qualify themselves, for the whole question turned on character and capacity, and they must realise that their main difficulties lay with themselves.*"

Again at Bombay, on October 9th of the same year, in addressing the Students' Brotherhood, he strongly denounced the active participation of students in politics, and the tactics and objects of the Extremists, in the following memorable terms:

"The active participation of students in political agitation really tends to lower the dignity and the responsible character of public life and impair its true effectiveness. It also fills the students themselves with unhealthy excitement, often evoking in them a bitter partisan spirit which cannot fail to interfere with their studies and prove injurious to their intellectual and moral growth. . . . I venture to think that a stage has been reached in our affairs when it is necessary for us to face resolutely our responsibilities in this matter. Every one knows that during the past few years a new school of political thought has arisen in the country, and that it has exercised a

powerful fascination over the minds of young men more or less in all parts of India. A considerable part of what it has preached could not but find ready acceptance on every hand, that love of country should be a ruling principle of our lives; that we should rejoice in making sacrifices for her sake; that we should rely, wherever we could, on our own exertions. . . . side by side with this undoubtedly valuable work, the new party gave to the country a great deal of what could only be regarded as unsound political teaching. That teaching was in the first instance directed to the destruction of the very foundations of the old public life of the country. But, once started, it could not be confined to that object, and in course of time it came to be applied generally. Its chief error lies in ignoring all historical considerations and tracing our political troubles to the existence of a foreign Government in the country. Our old public life was based on frank and loyal acceptance of British rule, due to a recognition of the fact that it alone could secure to the country the peace and order which were necessary for slowly evolving a nation out of the heterogeneous elements of which India was composed, and for ensuring to it a steady advance in different directions. The new teaching condemns all faith in the British Government as childish and all hope of real progress under it as vain . . Our general lack of political judgment is also responsible for the large measure of acceptance which it ('the new teaching') received. Not many of us care to think for ourselves in political matter or, for the matter of that, in any public matters Ready-made opinions are as convenient as ready made clothes and not so noticeable....I think those of our public men who realise the harm which the new teaching has done, have not so far done their duty by the student community of this country. . . . I feel that it is now incumbent on us to speak out freely As I have said, the self-reliance which is part of the new propaganda cannot but be acceptable to all. It is in regard to the attitude toward the Government which the programme advocates that the need for a protest and a warning arises . . .When one talks to young men of independence in a country like this, only two ideas are likely to present

themselves clearly before their minds. One is how to get rid of the foreigner, and the other is how soon to get rid of him. All else must appear to them as comparatively of minor importance. . . We have to recognise that British rule, in spite of its inevitable draw-backs as a foreign rule, has been on the whole a great instrument of progress for our people. *Its continuance means the continuance of that peace and order which it alone can maintain in our country, and with which our best interests, among them, those of our growing nationality, are bound up*. . . . Our rulers stand pledged to extend to us equality of treatment with themselves. This equality is to be sought in two fields: equality for individual Indians with individual Englishmen, and equality in regard to the form of government which Englishmen enjoy in other parts of the Empire. The attainment of full equality with Englishmen, if ever it is accomplished, is bound to be a slow and weary affair. But one thing is clear. It is both our right and our duty to press along this road, and further, good faith requires that we should not think of taking any other. Of the two-fold equality we have to seek with Englishmen, the first, though difficult of attainment, is not so difficult as the second. For it is possible to find in this country a fair number of Indians who in character and capacity could hold their own against individual Englishmen. But the attainment of a democratic form of self-government such as obtains in other parts of the Empire must depend upon the average strength in character and capacity of our people taken as a whole, for it is on our average strength that the weight of the edifice of self-government will have to rest And here it must be regretfully admitted that our average strength to-day is far below the British average The most important work before us, therefore, is to endeavour to raise this average, There is work enough for the most enthusiastic lover of his country. In fact on every side, whichever way we turn, only one sight meets the eye—that of work to be done—and only one cry is heard—that there are but few faithful workers The elevation of the depressed classes, who have to be brought up to the level of the rest of our people, universal elementary education. co-operation, improvement of the economic condition

of the peasantry, higher education of women, spread of industrial and technical education and building up the industrial strength of the country, promotion of closer relations between the different communities—these are some of the tasks which lie in front of us, and each needs a whole army of devoted missionaries."

Unfortunately, however, revolutionary teaching and revolutionary crime had passed beyond the stage at which any words of Mr. Gokhale's could avail to arrest them. The masses were unaffected; but violent crime, frequently unpunished, and racial hatred, widely preached, were producing their natural influence on many members of the rising generation of the better educated. As a counterpoise, Mr. Gokhale had founded the "Servants of India" society, the objects of which were "to train national missionaries for the Service of India and to promote by all constitutional means the true interest of the Indian people." The members of the society were bound to accept the British connection, and to recognise that self-government within the Empire and a higher life for their countrymen constituted an end which could not be attained without years of patient effort and building up in the country a higher type of character and capacity than was then generally available.

So ominous was the outlook at this time, that the Viceroy took the unusual step of communicating direct with the Ruling Chiefs on the subject of the active unrest in prevalent various parts of India, and invited an exchange of opinions "with a view to mutual co operation against a common danger." The replies which he received were both sympathetic and suggestive, the majority strongly recommending the necessity of checking the licence of the Indian press, to which they attributed the responsibility for the widening of the gulf between the rulers and the ruled. The Revolutionaries had themselves addressed a menacing pamphlet to the Chiefs. The letters of the latter contributed toward the passing of that long-needed and long-deferred measure, the Indian Press Act, by the newly constituted Imperial Legislative Council in February 1910. The Act

imposes no censorship; it practically substitutes forfeiture of security for criminal prosecution, and while conceding a certain amount to executive discretion, it tempers that discretion by making orders of forfeiture appealable to a High Court.

The loyal attitude of the Chiefs was subsequently intensified by the impressions left by the royal visit, and has been of great assistance to the British Government. Lord Morley had commented in Parliament on the importance of "these powerful princes" as standing forces in India, but had not accepted a proposal of Lord Minto's Government for the institution of an advisory Council of Ruling Chiefs and territorial magnates It is of course arguable that Ruling Chiefs can have nothing to do with affairs in British India, yet these affairs may most seriously affect their position in their States.

The firm loyalty of the Princes, the personal popularity of the Viceroy, the Reforms and the altered attitude of the purified Congress party, the long-needed Press Act, the breaking up and bringing to trial of two notorious gangs of revolutionary conspirators in Calcutta and Dacca—all combined to make the last year of Lord Minto's rule comparatively peaceful. Soon after his departure Lord Morley left the India Office. They had passed through critical times. They were jointly responsible for measures which temporarily satisfied sober political opinion, and, but for the war, would probably have worked sufficiently well for a considerable period. But in coping with the revolutionary movement, they were slow to realise the virulence of the propaganda and the rapidity with which it was spreading among the schools and colleges of Bengal, fostered by bad conditions and ill-paid seditious teachers, "proclaiming to be guiled youth that outrage was the evidence of patriotism and its reward a martyr's crown."[1] The wide extent of the mischief was at first discredited, and the whole conspiracy obtained a long start.

1. Speech by Lord Minto in 1908.

No Secretary of State ever devoted more anxious or thorough attention to India than did Lord Morley. The distinction of his speeches and writings did much to invest Indian affairs with interest for the ordinary British citizen. But it is evident from them and from his Recollections that he was frequently perplexed by conflict between measures advised from India and his own predilections combined with the ideas of many of his political supporters. It may be said roughly that throughout the period of calm that followed the Mutiny up to the last year of Lord Curzon's regime the British principle of governing India had been "Trust the man on the spot". Lord Curzon, during his visit to England at the end of his first term of office, in a public speech laid stress on the importance of this principle. Until then he had no cause to complain of its non-observance. But the reason and manner of his resignation, and the troubles which followed on the partition of Bengal, damaged it severely It is plain from Lord Morley's writings that the thought that these troubles were largely due to mismanagement by the men on the spot, and that the Viceroy was liable to be too greatly impressed by the atmosphere in which he worked. As a matter of fact, however, both the men on the spot and the Secretary of State were confronted by a novel and complex state of things. The effect of the Russo-Japanese War on Indian political thought, the sudden gathering in of the harvest of years of Western education and increasing contact with an increasingly democratic England, combined with narrowing employment, ill-managed schools, and virulent racial propaganda, to produce in Bengal an unprecedented ferment which affected the rest of India. The bad schools and starved schoolmasters of Bengal were the fruits of official and non-official miscalculations. They resulted from the adoption of recommendations made by an Educational Commission appointed in the early' eighties. The whole movement, which developed so rapidly, was handled by those in daily contact with it in a spirit of patient courage. The British officials in India were in the trenches. They had to bear the brunt of the attack. They dealt with it as best they could, and reported what they saw. No doubt, being

near, they saw through a glass darkly. It was no part of their duty to join in depreciation of or yield to attacks on the Government which they endeavoured faithfully to serve, nor were they responsible for the strategy that directed their efforts. On the other hand, they were not concerned with considerations other than those which were suggested by the difficult conditions which confronted them. In the course of my narrative I am endeavouring to make some of these conditions apparent.

Lord Minto was a gallant, chivalrous gentleman, of the stamp which his own countrymen and Indians alike admire. He was succeeded by Lord Hardinge of Penshurst, who held office for five and a half eventful years. Shortly after his arrival came the Congress of December 1910, presided over by Sir Willia n Wedderburn. This meeting demanded that certain salutary repressive Acts be removed from the Statute book, and protested strongly against the treatment of Indians in British colonies, but concluded without excitement. Three leading Muhammadans of a new schools, which was to become prominent later, attended. For the first time an address of welcome was presented to a Viceroy. He was asked to show clemency to all purely political offenders. The academic Extremists were entreated to return to the Congress-fold. The partition of Bengal was denounced by a Bengali. The President proposed a conference of Hindus and Muhammadans, in order to effect a *rapprochement* on the burning question of special or communal representation on religious grounds, combined with the corollary question of weighting for Muslim minorities. But the conference never met, though delegates were appointed, because a prominent Hindu politician moved a resolution in the Imperial Legislative Council requesting the abolition of all separate representation of Muhammdans or councils and local boards. He was opposed by Mr. Gokhale and by the Home Member of the Government of India, who said that the fullest and clearest pledges had been given to the Muhammadans "that they should have separate representation."

The year 1911 was marked by some degree of trouble in Bengal; but everywhere else things were quiet, and people generally waited expectantly for the royal visit, which achieved brilliant success, bringing the gracious and sympathetic personalities of Their Majesties as Sovereigns of India closely home to all classes, striking a keynote of chivalry and loyalty that has reverberated in many hearts throughout the troubles of the past four years. No one who witnessed the enthusiasm displayed by that great gathering could doubt that Great Britain has no reason to be ashamed of her record in India.

The partition of Bengal was altered in a manner that gratified Congress sentiment, but annoyed the Muhammadans, especially those of the six-year-old Eastern Bengal and Assam province, and seriously disturbed Indian belief in the ability of the British Government to adhere to a declared resolution.[1] The Capital was removed from Calcutta to Delhi. In the despatch from the Government of India to the Secretary of State proposing these changes for sanction, occurred a passage which advocated a policy of provincial decentralisation and widening self-government, "until India would at last consist of a number of administrations autonomous in all provincial matters, with the Government of India above them all, possessing power to interfere in cases of misgovernment, but ordinarily restricting their functions to matters of Imperial concern."

When the papers were published, this passage was interpreted by advanced Indians as clearly foreshadowing self-government on colonial lines. This idea, however, was expressly disclaimed in Parliament by Lord Crewe, then Secretary of State, on June 24th, 1912, in the following words :

"There is a certain section in India which looks forward to a measure of self-government approaching that which has been granted in the Dominions. I see no future for India on

1. Lord Morley, while disapproving of the partition, regarded it as a "settled fact."

these lines The experiment of extending a measure of self-government practically free from parliamentary control to a race which is not our own, even though that race enjoys the services of the best men belonging to our race, is one which cannot be tried. It is my duty as Secretary of State to repudiate the idea that the despatch implies anything of the kind as the hope or goal of the policy of Government

"At the same time I think it is the duty of the nation, and of the Government for the time being of the nation, to encourage in every possible way the desire of the inhabitants of India to take a further share in the management of their country."

Again, he said, on June 29th, 1912 :

"There is nothing whatever in the teachings of history, so far as I know them, or in the present condition of the world which makes such a dream" (as complete self-government within the British Empire) "even remotely probable. . . Is it conceivable that at any time an Indian Empire could exist, on the lines, say, of Australia and New Zealand, with no British officials, and no tie of creed and blood which takes the place of these material bonds? . . To me that is a world as imaginary as any Atlantis or any that was ever thought of by the ingenious brain of any imaginative writer. . . . I venture to think that it is only those who think less of service and more of distinction who would lose heart if they braced themselves to set aside this vision altogether and to settle down to closer co-operation with the Western race, to which they can teach much, and from which they can learn much, in co-operation for the moral and material bettering of the country to which they are so deeply attached and of which we are so proud to be governors."

In spite of this advice the Congress leaders preferred to adhere to their original interpretation of the meaning of the disputed passage, and continued to profess self-government on colonial lines as their goal, striving to accelerate advance by unremitting pressure, sometimes employing analogies

which are apt to deceive if applied to cases which are not really parallel.

The year 1912 was further marked by the appointment of a Royal Commission to report on the constitution and conditions of the Public Services, with the main object of investigating the possibilities of admitting Indians in larger numbers to the higher grades. The report of this body was only published in January 1917. Publications had been delayed by the war. Political expectations had greatly risen, and proposals which were, in fact, liberal, were denounced as grossly inadequate.

In the meantime a change had been gradually coming over the spirit and aims of the Muslim League. The war between Italy and Turkey, events in Persia, and, above all, the Balkan war, created considerable sympathy with Turkey and resentment at the apparently passive attitude of the British Government. The sympathy of Indian Muhammadans, especially the Sunnis, with Turkey was prominent as long ago as the time of the Crimean war, and is referred to in the private correspondence of Lord Dalhousie, recently published. It had strengthened with time and improved communications. Above all, it had grown with a pan-Islamic propaganda, which, inculcating the union of Shiah and Sunni under one banner, and preached in Egypt and Persia by Shaikh Jamaluddin Afghani, a Persian who had resided in Afghanistan, had been subsequently converted, first by Sultan Abdul Hamid and afterwards by the Young Turks, into an appeal to the Faithful to rally round the Ottoman Khalifat.

Many Muhammadan politicians disliked our agreement with Russia, and contrasted British inaction during the Balkan war with her championship of Turkey in former days. They saw that while Japan was proving the ability of an Asiatic power to make herself respected, the few remaining Muslim powers, Morocco, Persia, and Turkey, were sinking lower into depths of submission or calamity. And, turning their eyes on their own country, they beheld in Lord Morley's

Reforms and the alteration of the partition of Bengal what they regarded as conclusive triumphs for the policy of agitation pursued by the Congresss While these impressions were working on their minds, Congress newspapers were profuse in expressions of sympathy over the misfortunes of Turkey. All these things, working together, produced a remarkable effect. In 1908 the President of the All-India Muhammadan Conference, Mr, now Sir, Saiyid Ali Imam, had declared that the Muslim League and the Congress differed fundamentally.

"Has not," he said, "this ideal of self-government created impatience, because of its impracticability, carrying idealism off its feet and creating extremism? Let the Congress announce that in practical politics loyalty to the British administration is loyalty to India, and that reform in the existing administration is possible only with the maintenance of British control .. As long as the leaders of the Indian National Congress will not give us a workable policy like the one indicated above, so long the All-India Muslim League has a sacred duty to perform. That duty is to save the community it represents from the political error of joining in an organisation that in the main, as Lord Morley says, cries for the moon."

Even in January 1910 the Muslim League, under the presidency of the Agha Khan, had expressed gratitude for the consideration showed to the Muhammadans in the Reform arrangements; but a remarkable change was imminent. In August 1912 the majority of leading Muhammadans were unable to come to terms with Government in regard to the conditions under which a Muhammadan university should be established at Aligarh. Later on in the year Indian Muslims despatched a medical Red Crescent Mission to Turkey. In January 1913 the council of the Muslim League decided to recommend a new constitution to their association. The objects were henceforth to be—"the promotion among Indians of loyalty to the British Crown, the protection of the rights of Muhammadans *and, without detriment to the foregoing objects, the attainment of the system of self government suitable*

*to India.*" These recommendations were accepted by the association at Lucknow on March 22nd, 1913. There it was said that if Sir Edward Grey remained arbiter of Britain's foreign policy, the Muslim status in Asia would be swallowed up by Russia. The adoption of suitable self government as an ideal was adopted, after a heated discussion, by a large majority. Influential Mussulmans present regarded the proposal as a departure from the fixed policy of the Muhammadans and destructive to their interests as a minority in India. Others thought the aim proposed not high enough, and desired identity with that expressed by the Congress. The Agha Khan was not present at the meetings. But afterwards he commented to the London branch of the League on the resolutions passed. If, he said, self-government for India meant, as he took it to mean, an ideal involving many decades of effort toward self-improvement, social reform, educational diffusion, and complete amity between the various communities, the ideal must commend itself to thoughtful approval. But if it meant a mere hasty impulse to jump at the apple when only the blossoming stage was over, then the day that witnessed the formulation of the ideal would be a very unfortunate one in the annals of their country.

Not long afterwards he resigned the presidency of the League. The change in the ideals of that body was confirmed at the sessions of December 1913, and was eulogised by the Congress meeting of the same month.

The qualification "self-government of a kind suited to India" appears to mean self-government in which Muhammadans will have a share proportioned to what they consider to be their political rather than their numerical importance. As we shall see later, an attempt has recently been made to define this share.

In the year 1912, revolutionary stores, arms, and documents were discovered in Eastern Bengal; a bomb outrage was attempted in Western Bengal; and, in December, as Lord Hardinge was making his state entry into the new capital, a

bomb was thrown which wounded him very seriously and killed one of his attendants. The perpetrator of the outrage was not discovered, although there is little doubt that he was one of an association of Hindu revolutionaries who were brought to justice for a subsequent murder.

Revolutionary effort intensified in Bengal during 191 , and afterwards up to the outbreak of the war. It established a terrorism which largely prevented witnesses from coming forward to testify to the crimes that were committed. In other provinces things went smoothly, and the business of the new Legislative Councils progressed with satisfactory harmony. The Viceroy had earned remarkable popularity by his firm and courageous bearing under the outrage which so nearly killed him, as well as by his outspoken sympathy with the cause of Indians in South Africa. Thus the outbreak of the Great War found India generally tranquil. Advanced politicians—Hindus and Mussulmans—mainly lawyers and journalists, were drawing near a common platform, and seeking voguely for representative government on colonial lines. With some this goal was merely a nominal article of faith, but with others it was a genuine objective. On the whole, however, they were satisfied with the recent reforms. But behind them was a small section of revolutionaries, who, sometimes encouraged from abroad, were asserting their presence by intermittent manifestations of subterranean activities of the most sinister kind. Apart entirely from political contentions stood the great majority, the masses of conservative and indifferent opinion, the main body of the territorial aristocracy, the landlords, the military castes, the cultivators, the ordinary trading population. Apart also, though not inattentive, was the European mercantile and non-official community. The ranks of the Nationalists, though slender, were drawn from the better educated and more systematically organised intelligence of the country. They dominated the Indian Press. They had started and spread the idea of a united self-governing India. In the process their views and policy had become increasingly biased by racial feeling, by a lessening faith in British efficiency, and by a growing belief that India, unfettered by foreign

ascendancy, could rival the success of Japan. The notable differences between conditions in India and those in Japan they seldom regarded. For some years their extreme wing had been discredited. Its leaders had temporarily vanished. Its most ardent followers had been absorbed by revolutionary associations.

# 30

# VICEROY LORD MINTO'S UTTERANCES

## ON SEDITIOUS MEETINGS BILL*

Before I in any way attempt to discuss the merits of the measure we have had before us, I feel that I shall very fully express the views of my Hon'ble Colleagues in saying that they have only asked for the powers it confers and accepted

*Speech in the Imperial Legislative Council, Calcutta, on 2 November, 1907.

According to, official explanation, for some months past the state of things in India had been such as to warn the Government that there was a feeling of unrest in the country generally In Eastern Bengal there had been trouble with the population, which was led more or less by the student class. Efforts to suppress the growing agitation were made, but at the time without effect. The holding of public meetings by agitators fanned the flame of unrest. In April riots broke out in Lahore which was followed by riots at Rawalpindi. Attempts had also been made to tamper with the Native Army, reports from various provinces told a tale of violent meetings and disorder, and generally the situation was serious On May 3rd, Sir Denil Ibbetson, the Lieutenant-Governor of the Punjab, asked that, in order to prevent seditious teaching in his province, warrants should be issued for the arrest and deportation, under Regulation III of 1818, of two of the principal agitators, viz., Lajpat Rai and Ajit Singh. The warrants were issued, and the two men deported in May and June. Subsequently, under section 23 of the Act of 1861, to regulate public meetings, an Ordinance was issued, and was applied to certain areas in Eastern Bengal and the Punjab.

This Ordinance was to have effect upto 10th November 1907. Meanwhile having regard to the state of feeling, and in order to regulate public meetings, a draft Bill, called the Seditious Meetings Bill, was prepared and discussed in Legislative Council. Much opposition was made to the proposed Bill : several telegrams and letters opposing it were received, and the Hon'ble Mr. Gokhale and the Hon'ble Dr. Reshbehari Ghose attacked the Bill violently is Council, which, however, was carried by a majority of 9 to 3. The Bill thus became Law.

the policy it embodies with the gravest feelings of responsibility and after much thoughtful deliberation, and that though we have considered legislation to be a matter of urgent necessity, we have been most anxious, notwithstanding the remarks which have fallen from the Hon'ble Mr. Gokhale, to afford the Indian public ample time for an expression of opinion upon the line of action we have decided to adopt. On the 18th October Sir Harvey Adamson introduced the Bill, and in doing so told us that the Government of India had been unwillingly forced to the conclusion that, when the Ordinance expired, it was accessary, not only to continue the powers it gave, but to define more clearly certain of the provisions it contained. He has to-day entered still more fully into the history of the Bill, and has very ably explained to us its various clauses and the amendments suggested in the Select Committee's Report. There is therefore no reason for me to attempt to further elucidate its technicalities, and I would only venture to recapitulate to Council the course of events and influences which have led up to our present position. That position the Hon'ble Mr. Gokhale and the Hon'ble Dr. R. Ghose have fully dealt with, and I can assure them I gladly recognise their honesty of purpose and the sincerity of their endeavours to advance the political claims of their fellow-countrymen, but I am afraid my Hon'ble Colleagues have allowed their enthusiasm for the cause of political reform to blind them to the necessities of the moment, and that they have failed to recognise that the first duty of any Government is the maintenance of law and order and the protection of the people entrusted as its charge. They would lead us to believe that we have been frightened by a phantom, that we have accepted the vapourings of a few agitators as evidence of dangerous condition, and that by the Act which we have passed we are imputing disloyalty to the masses of the people of India,—that I emphatically deny,—but at the same time I refuse altogether to minimize the meaning of the warnings, and anxieties of the last few months.

We cannot afford to forget the events of the early spring—the riots at Lahore and gratuitous insults to Europeans, the

Pindi riots, the serious view of the Lieutenant-Governor of the Punjab on the state of his Province, the consequent arrest of Lajpat Rai and Ajit Singh, and the promulgation of the Ordinance, and, contemporaneously with all this, a daily story from Eastern Bengal of assault, of looting, of boycotting, and general lawlessness, encouraged by agitators, who, with an utter disregard for consequences no matter how terrible, have by public addresses, by seditious newspapers, by seditious leaflets and itinerant secret agents, lost no opportunity of inflaming the worst passions of racial feeling, and have not hesitated to attempt to tamper with the loyalty of our magnificent Indian Army. I hope that Your Excellency as Commander-in-Chief will, on my behalf as Viceroy and as representative of the King-Emperor, convey to His Majesty's Indian troops my thanks for the contempt with which they have received the disgraceful overtures which I know have been made to them. The seeds of sedition have been unscrupulously scattered throughout India, even amongst the hills of the frontier tribes. We are grateful that it has fallen on much barren ground, and can no longer allow the dissemination of unlimited poison.

That is the position the Government of India have had to face—that is why we have had to tighten the curb and shorten the reins. That is why we have felt compelled to provide ourselves with a weapon against insidious attacks.

The Bill is aimed at the inaugurators of dangerous sedition, not at political reform, not at the freedom of speech of the people of India.

But there is another side to all this. I am well aware of the growing strength of political hopes and ambitions in this country, and I welcome them as the natural results of the education British administrators have done so much to introduce and to encourage. I have said so over and over again, and I deny the accusation of a disregard of the growing influence of the educated classes of India. Far from wishing to check the growth of political thought. I have hoped that,

with proper guidance. Indian capacity and Indian patriotism might earn for its people a greater share in the government of their country. They have proposals before them now which I trust may greatly contribute towards that end. The Government of India would be blind indeed to shut its eyes to the awakening wave which is sweeping over the Eastern world, overwhelming old traditions, and bearing on its crest a flood of new ideas. We cannot check its flow, we can but endeavour to direct it into such channels as may benefit the generations that are to come.

We may repress sedition—we will repress it with a strong hand, but the restlessness of new-born and advancing thought we cannot repress. We must be prepared to meet it with help and guidance. We must seek for its causes.

In the first speech I made on my arrival in this country I said that I looked "for assistance in furthering that sense of security and rest throughout the length and breadth of India so indispensable for the development of her internal resources, and her over-sea trade, for the careful consideration of her vital necessities and the general happiness of her people." Is it too much to hope that the leaders of Indian political thought will give that assistance to the Government of India? I can assure my Hon'ble Collegues, the Hon'ble Mr. Gokhale and the Hon'ble Dr Rashbehari Ghose, that a heavy responsibility rests on the shoulders of Indian reformers, for it is upon their support and upon their influence with their fellow-countrymen that British administrators should largely be able to rely.

I will not believe that the great bulk of the educated community are opposed to law and order, and I do believe that the masses of the Indian people render loyal homage to their King-Emperor. Moreover, I repudiate once for all the insinuation that has sometimes reached me, that the Government of India has, for political reasons, favoured the interests of one community against those of another. It has been the pride of the British Raj to balance without prejudice the claims of nationalities, of religions, and of castes; it will

continue to do so, and I am grateful for the numerous expressions of loyalty I have received from Ruling Chiefs, and from the leaders of influential Associations of every denomination throughout India.

I have merely sketched the conditions which appear to me to surround us, and I come now to the business of to-day, to the question of the utilisation, so to speak, of the Act which we have just passed. It seems to have been very generally assumed that, because it is applicable to the whole of India, it is to be universally enforced. That has never been the intention of the Government of India. The Bill, as the Hon'ble Sir Harvey Adamson has explained, was framed to meet the peculiar circumstances of certain localities and to take the place of the Ordinance when it lapsed automatically on the 10th November. The Ordinance has been in force for six months in the Punjab and in Eastern Bengal, and it has been our duty to consider, in consultation with the Lieutenant-Governors of those Provinces, to what extent we need now rely upon the Act. Sir Denzil Ibbetson has replied that quiet is restored in the Punjab, and that he has no need for extra powers, and Sir Lancelot Hare has asked for them only in the district of Bakarganj. With the exception of that district there will be now in India no legislation in force that did not exist before the promulgation of the Ordinance. I earnestly trust that there will be no further need for an appeal to the powers of the Act, but should the necessity unfortunately arise, the Government of India will not hesitate instantly to support the demands of its Lieutenant-Governors.

I am very far from saying that our anxieties have passed away,—there is much cause for watchful thought as to the state of affairs in many parts of India, and especially in Eastern Bengal—the future happiness of that Province rests with her people and their leaders. We cordially extend to them a helping hand, and I hope they will not hesitate to take it.

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## ADDRESS FROM THE M.A.O. COLLEGE, ALIGARH AND VICEROY'S REPLY*

### The Address

*May it please Your Excellency*,—We, the Trustees of the Mahomedan Anglo-Oriental College, Aligarh, beg most humbly and respectfully to approach Your Excellency with sincere gratitude for the honour you have been pleased to confer upon us and upon our community by visiting this College to-day. The visit of the representative of our Sovereign and of the Head of our Government is to us always a source of great gratification and pride; but we welcome Your Excellency with feelings of special regard, respect and honour, as we recognise in you a sincere friend and benefactor of our people. At a time when the fortunes of our community were at their lowest ebb, when their prospects in the struggle for existence going on around as were of the gloomiest, Your Excellency's statesmanlike and generous policy towards them raised us from the depths of despondency and filled us with a new life, new hope, new courage, which bid fair to usher in the dawn of a brighter future for the Musalmans of India. In their affection and regard Your Excellency therefore occupies a unique position, and past experience has taught them that they may confidently rely on Your Excellency's practical sympathy with their national aims and aspirations On the present occasion, when Your Excellency sets foot for the first time on the soil of Aligarh, and amidst all the engrossing cares and responsibilities of this vast Empire finds time to pay a visit to this centre of musalman national life, we greet you no less as a trusted friend of Musalman progress and Musalman education than as the Viceroy and Governor-General of the Indian Empire. And here we cannot refrain from alluding to one who had long looked forward to this auspicious day, and from whom, had he been spared to us, Your Excellency would have received a most sincere welcome. The late Nawab

* On 2 April, 1908 Lord Minto visited Aligarh where an address was presented to him by the authorities of the M.A.O. College.

Mohsin-ul-Mulk was the right-hand man of the great founder of this College, whose work and mission he carried on with conspicuous success, and with a singleness of purpose and self-sacrificing devotion worthy of all praise. Both his work and his example are to us a national asset, and his death is no less a national loss.

Your Excellency is already so well acquainted with the aims and objects of this College, with its ideals and its methods of work, that our task of explaining these matters to you is comparatively a simple one. It was in the dark days of the Indian Mutiny that its great founder, the late Sir Saiyad Ahmad, K.C.S.I., was seized with far conviction that education of the right kind, including Western learning and the teaching of modern science, was the only weapon with which it was possible to fight the superstition and ignorance in which the vast majority of his co-religionists were then steeped. The College at Aligarh founded in 1875 was the ultimate outcome of the conviction; but meanwhile the soil had to be prepared for the regenetion of the good seed it was to sow in the distant future. Sir Saiyad saw clearly that unless Musalman religious ideas of the day can be freed from their superstitious accretions, his educational scheme would be foredoomed to failure. But at a time when even to learn the mere rudiments of the English language was regarded by great and simple, by maulvi and layman, as the surest way to perdition and tantamount to a renunciation of Islam, this was no easy matter. With characteristic energy, Sir Saiyad undertook single-handed the Herculean task, and his labours were rewarded with unparalleled success. The story of his gigantic struggle against the forces of fanaticism, suspicion, prejudice and immemorial custom, arrayed against him in all their strength and intensity, forms a brilliant chapter in the history of all recent movements for reform of a socio-religious order. Even before his death he had succeeded in converting the good-will and active support the determined opposition and the *odium theologicum* with which his earlier efforts were rewarded.

But his task was not completed until he had achieved

equal success in another and far more important aspect of his work, namely, that of reconciling Indian Mahomedans to British rule. At the time of which we are speaking the recollections of their former greatness and dominion were still fresh in their minds, and they regarded the new *regime* with singular suspicion and distrust, engendering corresponding feelings towards them in the minds of the British authorities. Sir Saiyad, on the one hand, by ceaselessly pointing out to his co-religionists the blessings of British rule and impressing on them more especially the freedom of worship and religious toleration they enjoyed under its aegis, and on the other, by demonstrating conclusively that there was nothing in the principles or doctrines of Islam which was in any way antagonistic to British rule, succeeded in removing the mutual misunderstandings, and in bringing about a state of affairs in which sentiments of absolute trust in the justice and humanity of British rule, and in its policy of religious toleration, liberal education, progressive and well-considered reform became and are to-day the prominent characteristics of Musalman political faith.

At Sir Saiyad's death the whole aspect of affairs was changed, and since then the Musalman community throughout the length and breadth of India has come to appreciate, at its true worth, his life-long labour, and to recognise this College as their only national seat of learning. The College represents the Musalman ideal in education, in social life and even in politics. It is the centre of their most cherished hopes, of their highest aspirations, of their future progress, enlightenment and advance; and with it are bound up for better or for worse all their hopes for the regeneration of their race.

The secret of Sir Saiyad Ahmad's success lay in finding out the exact educational requirements of his community, and in providing for them. He saw that the existing Government Colleges and Schools, committed as they were to a policy of absolute religious neutrality, and to the promulgation of secular instruction pure and simple, were in every way unsuitable for the Mahomedans who attached the greatest import-

ance to religious teaching. Indeed, their one fear was lest English education should sap the foundations of faith, and they were not prepared to accept it for their youth at the expense of all sense of reverence. Moreover, almost entirely detached as this instruction was from the personal influence of the teachers, it failed in the main object of all education, namely, the formation of character.

Sir Saiyad saw the supreme importance of the residential system and of religious teaching, and by making these two principles the foundation upon which he built up his system of education, he allayed the suspicions of his co-religionists and converted their aversion or indifference into a keen desire for education, provided always that these two principles were maintained unimpaired.

Another special feature of the Aligarh College, now widely imitated like its residential system, is the prominence given in its educational scheme to manly sports of all kinds, which are systematically encouraged by precept and example, and taken up by the students with a keenness nowhere surpassed. A riding school, and provision for cricket, football, hockey and other mainly sports form part of its equipment.

It was by a combination of all these special features that the great founder of the College realised his ideal of what a sound, liberal, and truly national education should be The whole drift of his wise and statesmanlike policy was that the College should send out into the world not merely men of learning but men of active habits and self-reliance, imbued with a strong sense of their duty as citizens and as loyal subjects of the State. Those connected with the Aligarh movement lay no claim to a monopoly of loyalty—far from it—but they are proudly conscious of the fact that theirs is the only educational institution in India where every effort is made systematically to impress on students the lessons that true patriotism and true loyalty so far from being incompatible, are in reality one and the same thing and cannot be divorced from one another to any good or useful

purpose. Experience shows that the lessons thus taught do not lead to a that of servile cringing, but to a manly, outspoken and withal respectful attitude towards our rulers, which has given the *alumni* of the College a well-earned reputation for good manners. The whole environment of students at Aligarh, moreover, tends to generate *esprit de corps* which distinguishes them throughout their lives. The type of young men thus turned out has often received the hights appreciation and eulogy of British officers of all ranks and of non-officials. This type it is the earnest desire of the whole Muslim community and of the trustees of this College to perpetuate, to improve, and to disseminate widely over this great Continent.

The establishment of this College was the first example in India of a real national effort at self-help. As such, and because it was founded on sound principles, it attracted from its very inception the sympathy and support not only of our own princes and people, noblemen and gentry, nawabs and zemindars, but also of English gentlemen and officials of the highest degree, and successive Viceroys, Lieutenant-Governors and British officers have patronised it both in their official and their private capacities. Under such high patronage and under the quickening forces which owe their origin in this country to the benign influence of British rule, the College has flourished and has reached its present stage of evolution and our *motto* must still be "Excelsior." We must not look back, we must not mark time, for the crying needs and the daily growing requirements of our community forbid us to do so. Year after year we have to send away, for want of accommodation, hundreds of our youths from all parts of India, either to idle away their time at home or worse still, to join some educational institution with methods and ideals different from our own. Such is the confidence of the Musalman community in this College, that there is no limit to candidates for admission except such as want of accommodation necessarily imposes upon us; and that this confidence is shared by Mahomedans in all parts of India and even in countries beyond its borders, is amply borne out by the following statement of the places from which College and School

Boarders at present on our rolls come to us :

| | |
|---|---|
| The United Provinces of Agra and Oudh | 366 |
| Punjab | 130 |
| Frontier Province | 22 |
| Baluchistan | 2 |
| Bengal and Behar | 92 |
| Eastern Bengal | 33 |
| The Central Provinces and Berar | 25 |
| Madras | 19 |
| Bombay and Sindh | 30 |
| Hyderabad, Deccan | 58 |
| Rajputana | 3 |
| Nepal | 1 |
| Burma | 4 |
| Chitral | 3 |
| Transvaal | 1 |
| Total | 789 |

Some may think that this College has reached the limits of expansion, but the Trustees would be wanting in their sense of duty to the community and would be betraying the sacred trust bequeathed to them, if they failed to place upon record a respectful but emphatic negation of any such suggestion. Our present situation may be briefly described as follows : On the one hand, we find that in order to hold our own against other races in the keen competition of the present day, we must arm ourselves with knowledge—knowledge such as modern science and high education alone are capable of furnishing us. In every walk of life, whether in Government service or private employment, in the professions, in trades or in commerce, the weapons with which the battle of life has now to be fought consist of high educational qualifications, character, and training. On the other hand, we have the pitiable spectacle of the extreme backwardness

of our community in education, more specially when once the precincts of the primary school have been passed. The figures given below bear eloquent but mournful testimony to the truth of this observation. To take the instance of the Province of Eastern Bengal and Assam which has got the largest Mahomedan population and where the proportion of the Mahomedan to the general population is about 66 per cent., the proportion of Mahomedans receiving education compared with the other communities in 1906 was as follows :

| | | | |
|---|---|---|---|
| (1) | Primary education | 52 | per cent |
| (2) | Secondary | 16 | ,, |
| (3) | Arts Colleges | 3 | ,, |
| (4) | Professional Colleges | 2 | ,, |

and yet from this very Province of Eastern Bengal we have been obliged to refuse many boys for want of accommodation. Similarly a number of applications for admission have to be refused every year from all the Provinces of India.

What happens to these young men when they are thus refused admission is to the Trustees of this College a matter of the deepest concern; and they venture to submit that when the position is clearly placed before Your Excellency, you will not regard their anxiety as altogether baseless. It has already been explained that merely as a question of self preservation in their competition against other races, the desire for education among Indian Mahomedans has now become very strong, and they would prefer to have such education on the lines followed at Aligarh.

But if through unavoidable circumstances they should be unable to send their youths to us, they must perforce let their sons in such educational institutions as may be within their reach. Your Excellency has, on different occasions, very justly expressed your disapproval of the abuse of educational opportunities, of the absence in ordinary schools and colleges, of facilities for religious instruction and of arrangements for the residence and supervision of the pupils. The Trustees

cannot but feel a glow of pride at the thought that Your Excellency has thus indirectly approved of the very principles which they so dearly cherish at Aligarh, and which have been put into practice in this College from its first foundation They also feel that Your Excellency will sympathise with them when they ask themselves the following questions:—Is it wise, is it politic, is it in the best interests of the Mahomedan community or of the British Government that we should shut the door in the faces of our youth, and drive them thus to schools where opportunity and example for the abuse of educational facilities may abound, where the formation of character may be as part of the schoolmaster's business, and where religious instruction may be conspicuous by its absence. Sir Saiyad and his successors laboured incessantly to prove to our people the urgent need for education, and now that they have succeeded in creating among them a demand for it are we to tell them to go away and seek it in places where none of Sir Saiyad's ideals are recognised, and where the education is entirely unsuitable for the needs of our community.

To all these questions the Trustees feel it their duty to answer in the negative. They, on the contrary, are convinced of the need for the expansion of this College; and the point they wish to emphasize here is that theirs is no parochial seminary, but a national Educational Institution for the whole of India and its dependencies. Numbers which may seem large for a single town or even for a province become insignificant when we consider them in relation to the whole country.

After Sir Saiyad, no one has helped more to place this College on a sound footing than his trusted friend and adviser, the late Mr. Theodore Beck, the popular, sympathetic and zealous Principal of the College, who did more to save it at a critical period of its history than any one else. His ideals and those of Sir Saiyad with regard to the expansion of this College are ours today. This view of its ultimate development was the formation of a Mahomedan University, of which the idea was strongly supported by the late Mr. Justice

Mahmood, son of Sir Saiyad, and by Mr. Theodore Morison, our last Principal. The former may indeed be said to have formulated, if not fathered, the University scheme, while the latter developed it in his numerous writings on the subject. As regards numbers. Sir Saiyad and Mr. Beck put down one thousand for the College Classes, and at least the same number should be allowed for the School. We need hardly point out to Your Excellency that ever since the foundation of the College our Collegiate School has formed an essential part of the scheme on which the educational system of this College is based. Our School, like our College, is not confined to any one district or province, but undertakes the education and training of students not only from all parts of this country but even from countries outside India. The English House and the Zahur Husain Ward have, at the present time, on their roll boys of very tender age from Rangoon, Siam and other distant provinces. We attach very great importance to the part which our School plays in our educational system, for it is only boys who have passed on from the School to the College that have benefited to the fullest extent from the whole training and discipline of the place and that represent the true Aligarh type.

We are fully conscious of the fact that this expansion must be slow and gradual, and *pari passu*, there must go on an increase in the staff and in the accommodation. Any increase in numbers entails additional work on our staff, both English and Indian, but specially on the English staff. It is their supervision, their example, and their sympathy that we prize so highly and that we wish to secure to the fullest extent. They are gentlemen of ability, refinement and culture whose influence in moulding the characters of our boys at an impressionable age is a factor of infinite value and importance to this College. We remember with feelings of gratitude not only the late Mr. Theodore Beck, but such men as Mr. Arnold, Mr. Morison and many others. We have nothing but admiration and regard for our present staff—Mr. Archbold (our Principal), Mr. Towle, Dr. Ziauddin Ahmad, Mr. Rees (our Head Master) and their colleagues. We are conscious that although

ours is, if not the largest, at least as large a European Staff as that of any Arts College in India, with the exception of the St. Xavier's Colleges at Calcutta and Bombay (where there are additional Professors for the European classics), the work entailed on its members on account of the supervision they have to exercise over the boys is of an arduous nature, and any further increase in the number of students or the cultivation of closer relations with the boys must mean an increase in the staff. Our Boarding House accommodation also, although the largest in India, will require further expansion. But money spent on Boarding Houses we find to be the best investment for our capital—the returns leaving a margin for the employment of extra staff.

Before anything practical can be done, further funds are of course necessary. With that object the Trustees have started the Mohsin-ul-Mulk Memorial Fund, and will exert every nerve to collect contributions as soon as it may please Providence to lighten somewhat the burden of the famine. After the death of the late Sir Saiyad, which was a time of even greater financial need, we had to make a similar effort for raising necessary funds, and the sympathy and support which were extended to the movement by Your Excellency's predecessor Lord Elgin and the Government are deeply impressed on our grateful hearts. Our present needs are of equally pressing nature, but with the countenance and sympathy of the Government, which has always been extended to us, and with the support of our patrons, old and new, we have every reason to hope for success in our endeavours. A few only of such patrons we can find space here for mentioning by name. They have made Aligarh what it is, and the whole community is under an everlasting debt of gratitude to them. Among our oldest benefactors is His Highness the Nizam of Hyderabad, among our newest His Majesty the Amir of Afghanistan; while the College has always been most generously helped and supported by His Highness Sir Agha Khan of Bombay, His Highness the Nawab of Rampore, His Highness the Maharaja of Patiala, His Highness the Nawab of Malerkotla, His Highness the Nawab of Bhawalpore, His Highness

the Nawab of Jaora, the Honourable Nawab Sir Fayaz Ali Khan and the late Raja of Nanpara. The latest addition to our resources is the Prince of Wales' School of Science, the establishment of which has been rendered possible by the princely generosity of Sir Adamji Peerbhoy of Bombay, and by the munificent gifts of His Highness the Agha Khan, the Raja of Mahmudabad and Nawab Sir Fayaz Ali Khan, our respected President. Another Faculty, that of advanced Arabic, for the post-graduate study of that classic, has been strengthened by the generosity of the Government, by that of the Raja of Jahangirabad, and by a host of other donors; while the Faculty of Theology has been supported by Hadji Ahmad Said Khan of Bhikampore. The education of women, of which a beginning has been made in Aligarh, has received the warmest support from Her Highness the Begum of Bhopal, His Highness the Nawab of Bhawalpore, His Highness the Nawab of Tonk and His Highness the Mir of Khairpore, Sindh. This strengthening of the various Faculties and enlarging of boundaries of study, one after another as opportunities offer, is in fact the plan of action which the Trustees have deliberately mapped out for themselves in their policy of expansion. It is thoroughness and efficiency in each Faculty that they are determined to secure, rather than mere rapid expansion with corresponding weakness.

It is with great pleasure that we mention, on this occasion, the latest act of generosity on the part of one of our Trustees, whose name is well known in the country, and who has served in an important Native State for a long time with remarkable distinction and success. Khan Bahadur Yar Mohammad Khan, C S I., the Prime Minister of Jaora State, has, with the entire concurrence of his heirs, obtained the sanction of His Highness the Nawab of Jaora for transferring to the M.A.O. College, Aligarh (as a permanent grant), the Family Pension of Rs 320 a month, which the State had granted to the family of the Khan Bahadur in perpetuity from the time of his father. We have received the formal Sanad duly signed, sanctioning the said Grant to the Aligarh College permanently. It is needless to add that, by this magnanimous and noble act,

our esteemed Khan Bahadur has secured a prominent place in the list of our community's benefactors, and the large-minded self-denial shown by his heirs sets an example worthy of all praise.

Lastly, we beg again most earnestly to thank Your Excellency for the trouble you have taken in coming here and for the opportunity, you have been pleased to accord to us of addressing you on matters that closely touch the interests of our College and our community matters to which Your Excellency has vouchsafed a patient hearing, for which we shall be ever grateful, and as in duty bound, we shall pray for Your Excellency's long life and prosperity.

*The Reply*

*Gentlemen,*—I thank you for your address and for the cordiality of your welcome to me on my first visit to Aligarh. I assure you I sincerely value your courteous and appreciative words, and you may always rely upon my interest and sympathy in the patriotic aims which your College has done so much to further.

I have long looked forward to this visit. I know how anxious your late distinguished and much beloved Secretary, the Nawab Moshin-ul-Mulk, was that I should come here. I wish I could have done so under his guidance, but it was not to be. He was sitting in my room at Simla only a few days before he passed away, and I know how dear to him was all that concerned you here. He was, as you rightly say, the right-hand man of the great founder of this College, to which he has bequeathed an invaluable legacy in the memory of his devoted labours and example.

I have listened with the deepest interest to the history of Aligarh which you have so ably sketched. Your College is only 33 years old—little more than the recognised life of a generation,—yet in those few years I think I may say without exaggeration it has established itself as the centre and directing influence of educated Mahomedan thought in India.

It has nobly fulfilled the hopes of its great founder. We may justly marvel at the commanding position it now holds when we remember what Sir Saiyad Ahmed had to face at the commencement of his great work; not only financial difficulties, which were plentiful enough, but something much harder to cope with—the weight of social and religious suspicion—the unthinking opposition of traditional customs—and he triumphed over them. He triumphed in the recognition of the idea for which he had fought so hard, the combination of the advantages of Western education with the sanctity of all that is best in Musulman religion. To my mind he struck the keynote of the education India requires. He saw plainly the danger that must beset rising generations if they were to be reared on a smattering of Western knowledge, with no opportunities for that spiritual guidance upon which their forefathers relied, with no care for the self-restraint and self-sacrifice which every religion demands, with no religious ideals to look up to. To meet such risks he inaugurated that residential system combined with religious teaching which has been so successful in its results.

The College made its first start on the Queen's birthday, in May 1875, but it was not till 1877 that the foundation-stone of the present group of buildings was laid by Lord Lytton just after the Imperial Durbar had broken up. The final sentence of the address then presented to the Viceroy expressed the hope that the College which had made such a modest beginning would eventually expand into a University : "Whose sons shall go forth throughout the length and breadth of the land to preach the gospel of free enquiry, of large-hearted toleration and of pure morality."

The University has not come as yet, but no one can deny that the *alumni* of the College have fulfilled the hopes expressed in that address to an extent that its founder can hardly have dared to expect. Aligarh has set its stamp upon the pupils it has sent forth into the world. As long ago as 1892 Sir Auckland Colvin said : "To have been an Aligarh man is, I have over and over again found, a passport to the

respect and confidence of both Englishmen and Natives. They carry with them the stamp of their training the impress of the mind of the man under whom that training has been accomplished."

The history of the College may be divided into two periods. From 1875 to 1887 it was one long struggle to place the institution on a solid financial basis and to make it popular with the whole Musulman community, whilst after 1887 the tide of public opinion began to flow in Sir Saiyad's favour, and under him and his honoured successor, Nawab Moshin-ul-Mulk, and with the whole-hearted assistance of its staff, it has continued steadily to expand. Perhaps it is not too much to say that Aligarh has now entered upon a third period of its existence, when it may justly claim that the training it has administered and the high ideals it has encouraged are spreading far beyond the confines of the College for the benefit of the Musulman population of India.

But the very success which the College has achieved is increasing its opportunities for more good work, and a great deal still remains to be done. You have very rightly emphatically asserted in your address that the limits of the expansion of Aligarh have not been reached. There are many backward Mahomedan communities amongst whom education has scarcely penetrated at all, and there is a growing demand for that instruction which in these days of competition is becoming more and more necessary for success. Moreover, you have recognised the great part the education of women, with their influence over home life, must play in the future—and in all this educational advancement the Indian Mahomedan prefers the lines laid down by Aligarh and is looking to her for assistance.

I hope that the Mahomedan community of India will be mindful of its educational wants and will not be forgetful of what they already owe to the great work of Sir Saiyad Ahmed Much must, I know, depend upon individual liberality, and Aligarh has had the assistance of many munificent bene-

factors, whilst the splendid generosity of Khan Bahadur Yar Mohammad Khan, who has with the sanction of His Highness the Nawab of Jaora, and with the self-denying concurrence of his own heirs, made over to you the Family Pension earned by distinguished services, affords indeed a striking testimony of the value so justly attached to the services of this great institution.

I congratulate you, Gentlemen, on the work Aligarh has already done, and I heartily share with you in your hopes for its continued success in years to come.

May I be allowed to say one word more. Your Secretary, Maulvi Mustaq Hussain, has succeeded the Nawab Moshin-ul-Mulk, and I am well aware of the heavy responsibilities and the constant work demanded of him. I feel sure therefore that I shall be meeting the universal wish of Aligarh in conferring upon him the title of Nawab so long held by his distinguished predecessor.

## EXPLOSIVE SUBSTANCES AND NEWSPAPERS BILLS*

Before I put the motion, I would venture to make a few remarks.

My Hon'ble Colleague, Sir Harvey Adamson, has clearly and ably explained the nature of the measures we have before us to-day. He has recapitulated the powers we have hitherto possessed under the law, and has shown how utterly insufficient they have proved to enable us to deal with existing circumstances.

The lamentable incidents at Mozufferpore have sent a thrill of horror throughout India, and have too clearly warned us

*Speech in the Imperial Legislative Council on 8 June, 1908.

The above Bills—the one to deal with the use and manufacture of explosives and conspiracies connected with them, the other for the prevention of incitements to murder and other offences in newspapers—were introduced, according to official version, into the Legislative Council on the 8th June and passed into law the same day.

that we must be prepared to deal immediately with an iniquitous conspiracy and with murderous methods hitherto unknown to India.

I know that my Hon'ble Colleagues will join with me in expressing the sincerest sympathy for Mr. Pringle Kennedy in his terrible bereavement. His attachment to India and his many years of good work have earned him the respect and affection of English and Indian society alike, in which his wife and daughter very fully shared There have been other atrocious deeds besides that at Mozufferpore—one cannot forget the sufferers from the explosion in Grey Street in Calcutta, or the deliberate attempts to assassinate Sir Andrew Fraser, the Maire of Chandernagore and Mr. Kingsford. As to Mr. Kingsford, the public have been told in India and at home that the attempts on his life were due to the infliction by him of sentences of flogging for political offences—an unwarrantable accusation, which I am glad to have this opportunity of denying, against one who has fearlessly and straightforwardly done his duty. In not a single case has Mr. Kingsford awarded flogging as punishment for political offences.

My Hon'ble Colleague has dealt so fully with the details of the legislation we propose to pass to-day that I need only refer to the general position with which we are confronted. It is very necessary that no preconceived prejudice should blind our judgment. It was, I believe, the Duke of Wellington who said that he had spent the best part of his life in trying to know what was going on the other side of the hill on his front—and for us the *pardah* of the East unfortunately hides much from view It would be better for us and for the many races of this country if we knew how to lift it—at present we have failed to do so. We cannot but speculate as to much that it conceals, yet it is all-important that our guesswork should not be hasty or unjust.

All India has been shocked by a cruel crime. Expressions of abhorrence and condemnation have reached us from public meetings, associations, and Indian gentlemen throughout the

country, and the great mass of the people have loyally shared with the British Raj in detestation of its contemptible brutality. What we, the Government of India, have had to consider is the nature of these crimes, the influences which originated them, and the best means for protecting the populations, with whose safety we are charged, against the perpetration of similar outrages.

We all know—at least every one who watches the daily story of Indian political life knows—that the lines of Indian thought are changing, and that embroy national aspirations are beginning to take shape, and it will be a bad day for the British Raj and a bad day for the people of this country if we ever allow the belief to spread that the doctrines of murderous anarchy are even indirectly associated with the growth of those ambitions which British education has done so much to encourage. Nothing to my mind has been more unfortunate and despicable than the readiness with which in certain quarters endeavours have been heedlessly made to further a belief that assassination is merely the effort of a down-trodden people struggling to free itself from a foreign oppressor. The conspiracy with which we have to deal represents nothing of the sort. To the best of my belief it has largely emanated from sources beyond the confines of India. Its anarchical aims and the outrageous doctrines it inculcates are entirely new to this country. But unfortunately the seeds of its wickedness have been sown amongst a strangely impressionable and imitative people,—seeds that have been daily nurtured by a system of seditious writing and seditious speaking of unparalleled virulence vociferating to beguiled youth that outrage is the evidence of patriotism and its reward a martyr's crown.

I have no desire to minimise the dangers of the present time—they are evident enough. I know well the anxieties that the suspicions of subterranean plots must bring to all loyal men and women of whatever race or creed. No one can say how far the poison has spread. I only ask that the nature of it should not be misunderstood, that the canker we have discovered should be localised, and that we should not

jump to the conclusion that it has spread beyond the control of legitimate remedies. What those remedies should be have been for some weeks under the careful consideration of the Government of India. The two Bills which we are about to pass are the results of our deliberations. My Colleagues will support me when I say that we have had no lack of advice. The public has been told that we are weak, that we have failed to maintain order, that the glory of England has departed, that strong measures have been neglected. I am no believer in compliance with hysterical demands in the hour of danger. I maintain that the strength of the British Raj has been built up upon the justice of its administration. Heaven knows it has been no weak rule, but it has been a just one—and it will continue to be so.

It has been with a heavy sense of responsibility that the Government of India has recognised that the law of the land has not been strong enough to enable us to cope with the present emergency. We have felt that we must have further powers. We have had two main points before us—How best to deal with bomb outrages and the conspiracies connected with them; and how to annihilate the evil influence which has done so much to inspire them. The machinery we have decided to adopt is before you in the two Bills which the Hon'ble Sir Harvey Adamson has introduced. In them we have, after careful consideration, empowered judicial rather than executive procedure. We have preferred to act by legislation. But another course was open to us—We might have proceeded by the issue of an Ordinance; we should have saved time by doing so, and the condition of affairs demanded prompt and decided action. And now, if we are asked why, when we decided to proceed by legislation, we did not let that legislation follow the normal course of publication, reference to Select Committee, report and final discussion, I unhesitatingly answer that the urgency of the case would not allow of it. As it is, we have incurred delay, but in doing so we have secured an opportunity of explaining our position, which we should have lost in procedure by Ordinance. It is my firm belief that the Government of India occupies an in-

finitely stronger position in legislating, as it has done to-day, in open court, than if it had attempted to act summarily during the first shock of the tragedy of Mozufferpore.

There is one point which during our discussions in Executive Council I have impressed upon my Colleagues and which I will venture to repeat. Sir Harvey Adamson has already alluded to it. I look upon to-day's legislation as exceptional, as framed to meet dangerous emergencies, and as regards the Newspaper Bill, to give powers to deal with a particular class of criminal printed matter. It is quite possible our Bills may not be strong enough, and in that case we shall not fail to amend them. But the Newspaper Bill in no way takes the place of a general Press Act, and it in no way ties our hands as to the future introduction of such an Act. In my opinion a further general control of the Press in India is imperatively necessary. I believe it would be welcomed by the best Indian newspapers. *The Indian Nation* and *The Indian Mirror* have reviewed the present crisis in a tone which would do credit to the Press of any country They have recognised the evil of unbridled journalistic freedom under Indian conditions,—conditions entirely different from those existing at home, where public opinion based on the teachings of centuries of constitutional government would be ever ready to refuse or to ridicule such unwholesome vapourings as are daily furnished to the people of India. India is not ripe for complete freedom of the Press. It is unfair upon her people that, for daily information, such as it is, they should be dependent upon unscrupulous caterers of literary poison. We are called upon to regulate its sale. No exaggerated respect for principles of English freedom, totally unadapted to Indian surroundings, can justify us in allowing the poison to work its will.

By some irony of fate, the outrages for which that poison is already so largely answerable have been sprung upon us almost upon the eve of the introduction of constitutional changes I am determined that no anarchical crimes will for an instant deter me from endeavouring to meet, as best as I can, the political aspirations of honest reformers, and I ask the people of India and all who have the future welfare of this

country at heart to unite in the support of law and order, and to join in one common effort to eradicate a cowardly conspiracy from our midst.

## ON THE INDIAN CRIMINAL LAW AMENDMENT BILL*

My Hon'ble Colleague, Sir Harvey Adamson, has described so fully the chain of incidents which have led up to the present position that there is no need for me to recapitulate them. We should, however, bear in mind the true interpretation of the story he has told us. We should remember that for years the vapourings of a seditious press have been disseminating the seeds which are now bearing fruit, and that following in the wake of inflammatory newspaper articles we have had the speeches of revolutionary agitators, and

*Speech in the Imperial Legislative Council on 11 December, 1908.

As officially explained, due to the spread of anarchical crime during the year in Bengal and Eastern Bengal, the Government of India were faced with the necessity of introducing more stringent measures than the existing law allowed to deal with the situation. A series of attempts at train-wrecking, bomb-throwing, attempted murder, in some cases with serious injury, culminated on 7th November in the attempted assassination of Sir A. Fraser, the Lieutenant-Governor of Bengal. Public opinion was deeply stirred. Associations, Bodies, Trusts, and individuals alike addressed the Government condemning the outrages and asking that suitable action should he taken to deal with the class of crime which had gained such ascendancy. Special legislation was called for and European and Indian alike was insistent on strong measures being at once introduced.

A Bill in two parts was prepared, the first part containing the procedure for bringing cases to trial before a special Bench of the High Court without a jury, the second to deal with Associations. This Bill received the approval of the Secretary of State and was laid before the Governor General's Legislative Council on the 11th December. The Hon'ble Sir Harvey Adamson in his speech introducing the Bill explained at length the reasons for the action being taken and moved its passing at a single sitting. Some speeches strongly supporting the motion were made by Hon'ble Members including the Hon'ble Sir E Baker. The Bill was passed into law without a dissentient voice, with the single exception of Dr. Rashbehari Ghose.

the consequent deplorable misguidance of the youth of the country culminating in the commission of senseless outrages and brutal crimes.

No one has hoped more sincerely than I have that the existing laws of the land might have proved sufficient to deal with the difficulties which have surrounded us, but it has not been so, and the exceptional legislation we have already passed, though productive of good results, was not framed to meet the danger which now confronts us. The Maniktollah Garden discoveries, followed by the attempt on the life of Sir Andrew Fraser, and the murder of the Police Inspector, have opened a new chapter in the history of sedition. They have taken us far beyond treasonable pamphlets and revolutionary speeches, they have shown us the results of those preachings, and are laying bare before us the workings of a murderous conspiracy,—a widespread conspiracy,—recruited from the ranks of emotional young men saturated with grotesque ideas of political freedom. Horrible as it all is, I confess to some feeling of commiseration for these infatuated boys—for many of them are little more than that—blindly ruining their own future and the happiness of their home surroundings.

But there it is. The Government of India have this conspiracy to deal with. We know its acknowledged aims, the systematic assassination of Government officials which is to discredit our administration, and expel the British Raj from India, and notwithstanding the wicked absurdity of such schemes, we cannot disregard the fact that personal and public security are dangerously threatened, and that we are imperatively called upon to protect the public safety, and to subdue the indications of an increasing lawlessness.

My Hon'ble Colleague, Dr. Rashbehari Ghose, has taken exception to certain clauses in the Bill and to our procedure in attempting to pass it in a single sitting. I am always very ready to treat the opinion of my Hon'ble Colleague with respect; indeed I look to his sage advice and to his influence with his fellow-countrymen to assist us largely in the solution of the political problems of the future. But when I am told

ing the causes which have so unfortunately necessitated to-day's legislation.

## DEBATE ON THE BUDGET, 1909-10*

My Hon'ble Collegue, Sir G. Fleetwood Wilson, has assumed charge of his high office at a period of grave anxiety in the history of Indian finance, at a moment requiring the most careful consideration of existing economic conditions, together with an unexaggerated forecast of the probabilities and possibilities affecting the future revenues of India. I venture to congratulate him on the clearness with which he has explained the position which confronts us. Till some two years ago a continued prosperity and ever-increasing surpluses may perhaps have rendered us pardonably forgetful of the insecurity of our sources of revenue till the rude awakening of 1907 brought us face to face with those climatic conditions which from time immemorial have so often been the cause of cruel want and suffering. There was a failure of the monsoon—a failure conveying perhaps little meaning to the well-fed Western world, but full of sad forebodings to the teeming population of the plains of India.

We closed the financial year 1907-1908 with but a small margin to our credit; and, notwithstanding the fairly favourable monsoon of 1908, we were called upon to meet serious demands on behalf of famine relief, whilst later in the year malarial fever accompanied by a heavy mortality went far to incapacitate the populations of Northern India for agricultural work upon which their every-day welfare depends.

In addition to these troubles my Hon'ble Colleague has told us how a great depression in trade has weighed not only upon India but upon the world in general, our railways consequently suffering from an immense diminution in those imports and exports from the distribution of which they to a great extent derive their revenues. It is very disappointing

*Speech in the Imperial Legislative Council on 29 March, 1909.

to be told that, for the first time since 1898-99, our railway system has been worked at a loss to the State, still more so to admit the necessity for a reduction of if millions of expenditure on our railway programme upon which we believe the development and consequent prosperity and happiness of the people of this country so largely depend. Yet, recognising the policy which has hitherto directed the administration of our Indian railways, I cannot think that even the increased development we aspire to would have justified a railway expenditure undoubtedly entailing increased taxation as its immediate consequence. We have had to decide between a choice of evils, and my Hon'ble Colleague has to the best of my belief advised us to follow the safest course. Moreover, we must remember that, though famine, sickness, depression in trade, and loss of railway revenue are the most evident evils which we have been called to deal, a number of other causes to which my Hon'ble Colleague has alluded have combined to diminish the receipts upon which at the commencement of the last financial year it appeared that we could reasonably rely; that the country is generally poorer not only in respect to revenue, but as to individual wealth, than it was at the time of our big surpluses; and that it has become all the more incumbent upon us to avoid increasing present unavoidable burdens even for the sake of the attractive promises of future development.

We are called upon to face the financial position as it stands to-day.

My Hon'ble Colleague has carefully analysed it for he tells us, naturally enough, that with a deficit of over £3½ millions we must not be optimistic, but that, with conditions which it is not unreasonable to anticipate, there is no sufficient cause for pessimism. We must earnestly hope that those conditions will be fulfilled. The most rigid economy is necessarily demanded, not only from the Government of India, but from Local Governments, who have readily and loyally appreciated our difficulties, and I confess that the sacrifices necessarily entailed upon them are exceptionally hard—

implying, as they must, the discontinuance or postponement of many useful public works, when possibly the stress of approaching poverty may not have been at first so evident to them as to the Government of India.

We must hope for better times, and Hon'ble Mr. Miller has told us that, though the agricultural outlook is not as bright as it might be, it is not discouraging, and that with a single good season we may look forward to a rapid return to prosperity. Certainly we have experienced many misfortunes, but amongst them we have at any rate one consolation—the plague has been much less severe than in past years. We are, however, in no way relaxing our efforts to cope with it—strenuous efforts to combat it in accordance with the best teachings of science are still maintained; and though these efforts may not entirely account for the decrease in mortality, it seems probable that they have largely contributed to it. But though there has been a diminution in plague, the serious outbreak of malaria, to which I have already alluded, was the cause of much misery in the Punjab, in the United Provinces. and in the city of Bombay, in coping with which, as well as with plague, our medical officers have been indefatigable in their labours. Much has been done, too, by scientific research, and we may congratulate ourselves in possessing in the Indian Medical Service officers who, in scientific investigation, competence, and enthusiasm, have few equals in any country in the world.

His Excellency the Commander-in-Chief has given us an account of his stewardship for the 6½ years during which he has held his high command. I am sure I am only voicing the opinions of my colleagues in telling him that we have listened to the story of his military administration not only with deep interest, but with a sincere appreciation of his work and its results. It is no disparagement to his many brilliant predecessors to say that he has evolved from the factors of a somewhat scattered mass of splendid fighting material an Army complete in its component parts. The crippling centralisation, which must in bygone days have well-nigh broken the hearts of overworked officers, he has dispersed amongst his divisional

Commanders; in fact, the key to his organisation has been the perfection of a system in which the responsibility for the efficiency of each division in all its branches should rest with the General Officer Commanding it—a responsibility which that officer must again himself demand from the Brigadiers and regimental Commanders under him.

It has been Lord Kitchener's object so to distribute these divisions throughout India, as to facilitate either their mobilisation for a great campaign, or their capacity to furnish at short notice flying columns for some frontier expedition, or to meet sudden demands for internal defence. Notwithstanding much ignorant criticism both as to the intentions of this redistribution, and the manner in which it has been carried out, the objects in view have been ably fulfilled. At the same time, a very great deal has been done to bring military equipment, in the broadest sense of the word, up to date, to better the pay and allowances of the Native ranks of the Indian Army, and to improve the position of its British officers.

But in addition to the creation and distribution of military machinery, which the Commander-in-Chief has explained to us, there is the greater question of the future policy which is to direct the high administration of the Army. With the abolition of the Supply Department so well presided over by General Scott, whose personal services the Council will much regret to lose, the last traces of dual military control and dual advice to the Viceroy will disappear, and Lord Kitchener will be the first Commander-in-Chief to unite entirely in himself the command of the Army and the administration of the Army Department. I have no intention of going over the weary arguments for or against a system which has not become obsolete, but it may not be out of place for me to say a few words on the one really vital question affecting a prolonged dispute. Will the new system of Army administration ensure for the Government of India the necessary constitutional control over the Commander-in-Chief? I unhesitatingly assert, after an experience of some years of the results of the transfer to the Commander-in Chief of the powers and much of the work of the Military Member,

that the change of system, whilst giving him wider administrative authority, has materially detracted from his independence of action. I can understand the apprehensions of my predecessors as to their want of control over him, for though the proposals of a Commander in-Chief may often have been checked by the interference of the Military Member, the former was in many matters free to act on his own initiative, there was no direct channel of communication whatever between him and the Viceroy, there was no Secretary to Government answerable to the Viceroy for a clear explanation of the Commander-in-Chief's views. The post of Secretary to the Army Department will now always be held by a distinguished General Officer, on the same footing as a Secretary to Government in every other department—fully entitled to differ with the head of his department, and with free access to the Viceroy.

Again as to military finance,—for the careful supervision of which we have to thank Lord Kitchener,—a full acquaintance with any extravagant expenditure proposed by a Commander-in-Chief is much more directly and promptly available to the Viceroy and the Government of India than in the days of the Military Member, for the Secretary to the Military branch of the Finance Department is joint Secretary to the Finance Department itself, with the same access to the Viceroy and the same powers as any other Secretary to Government I believe therefore that the higher administration of the Army has now been placed on a constitutionally safe and thoroughly sound footing, and that the Government of India will do wisely in following Lord Kitchener's advice to safeguard the continuity of that military policy which he has done so much to inaugurate.

But all of us assembled here to-day must, I am sure, feel that, great as has been the change in the conduct of military affairs, it is small in comparison with the amelioration of long-established systems of administration, the possibility and advisability of which have for the last few years called for the most careful consideration of the Government of India.

This is the last Budget Debate, the last meeting of the Imperial Legislative Council, which will take place in this hall in accordance with the procedure which has been in existence since the Councils Act of 1892 came into force. At the close of the Budget Debate of last year I expressed a hope that, when this Council next assembled, measures would have been adopted by His Majesty's Government which would go "far to meet the aspirations of those who have the welfare of the Indian people at heart." Those measures have been fully discussed by the public in India and in England and are now passing through the last stages of Parliamentary criticism—the fulfilment of my hopes for their success must depend largely on the spirit in which they are finally received by the people of India and upon the honest endeavours of Indian political leaders to further the objects for which they have been framed. But we cannot conceal from ourselves that the origin of those measures, and the conditions which they were intended to meet, have, to a great extent, been lost sight of, or misrepresented. Attractive side-issues have arisen and have eclipsed the main objects the first framers of the reform scheme had in view, and the fact that they were the first framers of that scheme has either been buried in oblivion, or their action has been attributed to ignoble concession to unlawful agitation, or to unjustifiable nervousness.

A true conception of what has been the attitude of the Government of India throughout the history of these reforms is of such immense public importance in respect to the qualifications of that Government to administer the affairs of India, that I will venture to quote to my colleagues the words I made use of in replying to the Hon'ble Mr. Gokhale in the spring of 1907. I said—

'I recognise with him that politically India is in a transition state; that new and just aspirations are springing up amongst its people, which the ruling power must be prepared not only to meet but to assist. A change is rapidly passing over the land, and we cannot afford to dally. And to my mind nothing would be more unfortunate for India than that

the Government of India should fail to recognise the signs of the times. I have deemed it all-important that the initiation of possible reforms should emanate from us. I have felt that nothing would be more mischievous to British administration in India in the future than a belief that its Government had acted on no conviction of their own, but simply in submission to agitation in this country and in accordance with instructions conveyed to them from home. If there has been misconception as to this, I hope I may be allowed this opportunity of correcting it. The story, as far as I can tell it at present, is simply this—That last autumn I appointed a Committee of my Council to consider the possibility of a development of administrative machinery in accordance with the new conditions we were called upon to face. That Committee's report was considered by my Council and a despatch expressing the views of my colleagues and myself has been forwarded to the Secretary of State. What I would impress upon you is that this move in advance has emanated entirely from the Government of India "

That is what I said two years ago, and I repeat it again to-day all the more strongly. The material from which the Bill now before Parliament has been manufactured was supplied from the Secretariats of Simla, and emanated entirely from the bureaucracy of the Government of India. The deliberations and correspondence of which the Bill now before Parliament is the result commenced over 2½ years ago. It was in August 1906 that I drew the attention of my Council in a confidential Minute to the change which was so rapidly affecting the political atmosphere of India, bringing with it questions which we could not afford to ignore, and which we must attempt to answer, pointing out that it was "all-important that the initiative should emanate from us, that the Government of India should not be put in the position of appearing to have its hands forced by agitation in this country or by pressure from home, that we should be the first to recognize surrounding conditions and to place before His Majesty's Government the opinions which personal experience and a close touch with the everyday life of India entitle us to

hold." I consequently appointed the Arundel Committee. That minute was the first seed of our reforms, sown more than a year before the first anarchist outrage had sent a thrill of shocked surprise throughout India by the attempt to wreck Sir Andrew Fraser's train in December 1907. The policy of the Government of India in respect to reforms has emanated from a mature consideration of political and social conditions, whilst the administrative changes they have advocated, far from being concession wrung from them, have been over and over again endangered by the commission of outrages which could not but encourage doubts as to the opportuneness of the introduction of political changes, but which I have steadfastly refused to allow to injure the political welfare of the loyal masses of India As to the reforms themselves, putting aside points which have from time to time formed part of our proposals but have been in no way vital to them, the original pith of our scheme was the enlargement of the Imperial and Legislative Councils on a basis of wider representation of the most stable elements constituting the populations of India—and in a popular sense, I mean in respect to the effect such enlargement of representation will have on the people of this country, that is still the most important point in the changes about to be introduced. I have no intention of embarking this afternoon upon any expression of opinion as to the intricate machinery the creation of such representation may require, but I have listened with pleasure to the broad-minded remarks with which my Hon'ble Colleague Mr. Gokhale approached the peculiar necessities of representation in this country. My Hon'ble Colleague also alluded to the opposition Clause III of the Reforms Bill has met with at home. I need only say that the Government of India fully recognise the effect the enlarged Councils must have in the future position of Lieutenant-Governors and the transaction of the increasingly heavy duties that will be imposed upon them, and are in full accord with the Secretary of State as to the necessity of the powers the clause confers.

My Hon'ble Colleagues will, I know, join with me in the regret with which I realize that the term of office of the

Hon'ble Sir Erle Richards is about to come to a close. He has filled that office with marked distinction, and we shall miss the able assistance and advice upon which we have so long relied.

His Majesty the King, on the recommendation of the Secretary of State, has selected the Hon'ble Mr. Sinha to succeed Sir Erle Richards. I extend to him a hearty welcome, in which his many friends will share, on his appointment to my Executive Council to a post for which his great attainments, his professional ability, and the high public esteem, in which he is held, have pre-eminently qualified him.

The Hon'ble the Nawab has reminded me of the deputation which addressed me on the 24th of last December. I shall always look upon that occasion as one of the most memorable of my career in India. The moment was one of great anxiety when it had for long been impossible to say what the immediate future might bring forth, and when the reassuring words I listened to were exceptionally full of meaning—all the more so because they were spoken, as the Hon'ble Nawab has told us, with a thorough honesty of purpose by men who, though they might differ from each other on many points, were prepared on behalf of their countrymen to recognize not only the promises of a new political future, but the responsibilities which it must entail.

It is upon the recognition of those responsibilities by the leaders of Indian thought, it is upon the political tolerance which it rests with them to encourage amidst a diversity of interests and beliefs, that the happiness of the future of India so largely depends.

## A NEW SYSTEM OF ADMINISTRATION*

*Gentlemen.*—I welcome the members of this newly-constituted Imperial Council on their first assembly at the capital of the Indian Empire.

*Speech in the Imperial Legislative Council on 25 January, 1910. The Council was reformed under the Act of 1909.

The occasion is replete with political meaning. It marks the close of a system of administration which, under the guidance of many illustrious statesmen, has contributed much to the prosperity of India and to the glories of her history—it opens a new era with the inauguration of broader principles of government, and though this Council Room is ill adapted for the accommodation of our increased numbers and for the convenience of the public, it has seemed best to me that we should first assemble within the wells of the palace which Wellesley founded, and in the Council Chamber hallowed by the legislative traditions of the last 100 years.

Those years have witnessed the consolidation of the Indian Empire as it exists to day—they tell a story of troubles and anxieties, of hard-won successes and many glorious episodes—but they have throughout been years of recurring administrative changes in harmony with social progress and an advance in political thought largely due to the results of an education system introduced into India by British rulers.

It has been a period of evolution. We have moved in successive stages from Wellesley's small Supreme Council appointed by the Board of Control—to the days of Lord William Bentinck and the Charter Act of 1833—to the conquering rule of Lord Dalhousie and the Charter Act of 1853—to the Council Acts of 1861 and 1892—great landmarks in Indian history. And each successive stage has witnessed either the grant of larger legislative powers to the Government of India or an increasing recognition of the necessity for broadening the basis of administration upon lines more representative of the general interests of the country. That necessity was first met by the nomination, and subsequently by the *quasi*-election, of additional members of the Governor-General's Council. The first additional member was appointed nearly 80 years ago under the Act of 1833. That member was Lord Macaulay. Since then the machinery affecting their appointment has been gradually adapted to meet varying conditions, whilst their numbers were increased to a possible sixteen by the Act of 1892. That Act, like its predecessors,

has been superseded by the adoption of more advanced legislation, and in accordance with the Act of 1909 this newly constituted Imperial Council is now for the first time assembled.

I have merely ventured to sketch the progress of British legislation, because I cannot but feel that much of the criticism of the recent policy of the Government of India has been oblivious of past history, and has been based upon the assumption that the India of 20 years ago can continue to be the India of today. That is an impossibility—many influences have combined to make it so—and we have had to follow in the footsteps of tne statesmen who have preceded us, and to recognise that British rule must again be re-adapted to novel conditions,—conditions far more novel than any with which our predecessors had to deal, in that political forces unknown to them have come into existence in India which it is no longer possible for British administrators to ignore, whilst the trend of events in the Far East has accentuated the ambitions of Eastern populations. When I took up the reins of government as Viceroy in the late autumn of 1905, all Asia was marvelling at the victories of Japan over a European power, their effects were far-reaching—new possibilities seemed to spring into existence—there were indications of popular demands in China, in Persia, in Egypt, and in Turkey, there was an awakening of the Eastern World, and though to outward appearances India was quiet,—in the sense that there was at that moment no visible acute political agitation—she had not escaped the general infection, and before I had been in the country a year I shared the view of my Colleagues that beneath a seemingly calm surface there existed a mass of smothered political discontent, much of which was thoroughly justifiable, and due to causes which we were called upon to examine. We heartily recognised the loyalty of the masses of the people of India, and we were not prepared to suppress new, but not unnatural, aspirations without examination. You cannot sit for ever on a safety valve, no matter how sound the boiler may be. Something had to be done and we decided to increase the powers and expand the scope of the Act of

1892.

It is important that my Hon'ble Colleagues and the Indian public should know the history, the early history at any rate, of the reforms which have now been sanctioned by Parliament. They had their genesis in a note of my own addressed to my Colleagues in August 1906—nearly 3½ years ago. It was based entirely on the views I had myself formed of the position of affairs in India. It was due to no suggestions from home—whether it was good or bad I am entirely responsible for it. It dealt with the conditions it appeared to me the Government of India had then to consider, and as it is answerable for much that has followed in its wake, my Hon'ble Colleagues will perhaps allow me to read it to them. This is what I then wrote—

"I feel sure my Colleagues will agree with me that Indian affairs and the methods of Indian Administration have never attracted more public attention in India and at home than at the present moment. The reasons for their doing so are not far to seek. The growth of education, which British rule has done so much to encourage, is bearing fruit. Important classes of the population are learning to realise their own position, to estimate for themselves their own intellectual capacities, and to compare their claims for an equality of citizenship with those of a ruling race, whilst the directing influences of political life at house are simultaneously in full accord with the advance of political thought in India.

"To what extent the people of India as a whole are as yet capable of serving in all branches of administration, to what extent they are individually entitled to a share in the political representation of their country, to what extent it may be possible to weld together the traditional sympathies and antipathies of many different races and different creeds, and to what extent the great hereditary rulers of Native States should assist to direct Imperial policy, are problems which the experience of future years can alone gradually solve.

"But we, the Government of India, cannot shut our eyes

to present conditions. The political atmosphere is full of change, questions are before us which we cannot afford to ignore, and which we must attempt to answer, and to me it would appear all-important that the initiative should emanate from us, that the Government of India should not be put in the position of appearing to have its hands forced by agitation in this country or by pressure from home, that we should be the first to recognise surrounding conditions and to place before His Majesty's Government the opinions which personal experience and a close touch with the every day life of India entitle us to hold.

"This view I feel sure my Colleagues share with me. Mr. Morley cordially approves it, and in pursuance of it announced, on my authority, in his recent Budget speech, my intention of appointing a Committee from the Viceroy's Council to consider the question of possible reforms.

"Such enquiries have, as you are aware, taken place before. There was the Commission, over which Sir Charles Aitchison presided, to enquire into the employment of Indians in the public services, and we have also the notable report of the Committee appointed by Lord Dufferin to consider proposals for the reconstruction of Legislative Councils on a representative basis (1888), over which Sir George Chesney presided, and of which the present Lord Macdonnell was Secretary. It is curious to see from that the report how similar conditions and arguments were then to what they are now; with one great exception that we have now to deal with a further growth of nearly twenty years of increasing political aspirations.

"But though increased representation is still the popular cry as it was in 1868, other demands, or rather suggestions, are shaping themselves out of a foreshadowed metamorphosis. We are told of a Council of Princes, of an Indian Member of the Viceroy's Executive Council, of an Indian Member on the Secretary of State's Council, and in addition to the older claims put forward on behalf of increased representation on

the Legislative Councils, we are asked to consider new procedure as to presentation of the Budget to the Viceroy's Legislative Council, a prolongation of the Budget Debate, and further opportunity for financial discussion. As to possibilities such as these, I would be grateful for the opinion of the Committee I hope to appoint, limiting myself for the present to only one opinion that in any proposals for the increase of representation it is absolutely necessary to guard the important interests existing in the country, as expressed in paragraph 7, page 3, of the Report of Sir Charles Aitchison's Committee, *viz.*,—

(a) the interests of the hereditary nobility and landed classes who have a great permanent stake in the country;

(b) the interests of the trading, professional and agricultural classes;

(c) the interests of the planting and commercial European community; and

(d) the interests of stable and effective administration.

"The subjects I should propose to the Committee are :

(a) A Council of Princes, and if this is not possible might they be represented on the Viceroy's Legislative Council?

(b) An Indian Member of the Viceroy's Council.

(c) Increased representation on the Legislative Council of the Viceroy and of Local Governments.

(d) Prolongation of the Budget Debate. Procedure as to presentation of the Budget and powers of moving amendments.

"The Minute is circulated for the information of Members of Council, from whom I shall be glad to receive any suggestions or expressions of opinion which they may desire to make, and which will be communicated to the Committee.

"When the Committee has reported, their Report will be laid before the Council for full consideration."

That note elicited valuable opinions and was fully discussed in Council, and though, as you are aware, its suggestions were not accepted in their entirety by the Government of India, it laid the foundation of the first scheme of reform they submitted to the Secretary of State.

Since it was written, Lord Morley has fought India's battles in both Houses of Parliament in many great and memorable speeches, and there has been a constant interchange of correspondence between him and the Government of India. Much of it has not as yet been made public, but as regards the reform of the Legislative Councils I commit no breach of confidence in indicating the lines which the Government of India has endeavoured to follow. We have distinctly maintained that representative Government in its Western sense is totally inapplicable to the Indian Empire and would be uncongenial to the traditions of Eastern populations —that Indian conditions do not admit of popular repsesentation—that the safety and welfare of this country must depend on the supremacy of British administration—and that that supremacy can, in no circumstances, be delegated to any kind of representative assembly.

But we have been deeply impressed by the changing political conditions alluded to in my note, and we have endeavoured to meet them by broadening the representation authorised by the Council Act of 1892, by expanding its rules of procedure and facilitating opportunities for debate, by inviting the leaders of Indian public opinion to become fellow-workers with us in British administration, and by securing the representation of those important interests and communities which go to form the real strength of India, whilst at the same time recognising the claims of educational advance. We have borne in mind the hopes held out to the people of India in Queen Victoria's Proclamation of 1858.

We have felt that the political atmosphere of a bureaucracy may become close and confined, and that the admittance of outside air is beneficial to its health and strength. We have aimed at the reform and enlargement of our Councils, but not at the creation of Parliaments. I emphasise what I have just said in view of the opinions to which advanced Indian politicians appear not unfrequently to commit themselves

The machinery of our scheme was explained in our Resolution of November 15th. There is no necessity for me to analyse it—it has already been fully discussed by the public. We by no means claim perfection for it, we know that there will be much to learn from experience of its working, and that it may require alteration in the future, but if I have judged Indian public opinion correctly, the verdict has been in our favour in admitting the necessity for administrative changes, and the general soundness of the lines we have followed. Of course, we have met with many criticisms. It would have been unfortunate indeed, if a scheme of vast political movement had not elicited discussion and diversity of opinion. But there is one criticism which I refuse to accept—the suggestion that the Councils Act of 1909 is the result of concessions to seditious agitation. There is no foundation for any such assumption—unless the recognition of the political condition of India in 1906, as I have endeavoured to describe it, is to be reckoned as a concession—though it was a recognition of the necessity for which no responsible administrators could disregard. The murders at Mozufferpore were the first of the political crimes which have horrified all India, and they were perpetrated 1½ years after my Councils Committee had commenced to formulate their reform proposals. Then came the Manicktollah Garden discoveries, followed at intervals by a repetition of outrages, mysterious in their origin. Was the Government of India in the face of those outrages, and on account of them, to renounce the conclusions they had deliberately come to, and to throw overboard their schemes for reform? Were they to be frightened by an anarchical plot out of a policy they had deliberately adopted? I absolutely refuse to admit that the just aspirations of the loyal

subjects of the King-Emperor should be jeopardised by traitorous conspirators. That is a concession I will not agree to.

But it is unfortunately too true that the progress of the work upon which we have been engaged, and in the completion of which we hoped to confer a welcome boon upon the people of India, has been marred by a succession of abominable crimes which have forced my Government into one repressive measure after another. And yesterday, on the eve of the assembly of this Council, a faithful and gallant public servant was brutally murdered within the precincts of the High Court and in the broad light of day. A spirit hitherto unknown to India has come into existence, a spirit opposed to all the teachings of Indian religion and traditions, a spirit of anarchy and lawlessness which seeks to subvert not only British rule but the governments of Indian Chiefs, to whom I am so deeply indebted for their loyal assistance. We are called upon to deal with subterranean machinations, and methods of assassination and robbery, dangerous to the public safety and discreditable to the fair fame of India. We are aware of associations which are doing their best to inveigle into their meshes the youth of the country poisoned by the dissemination of revolutionary literature which, out of a chivalrous unwillingness to interfere with any form of freedom of speech, British administrations have tolerated for too long. Present dangers we are prepared to meet, and the moral training of the rising generation our duty will no longer allow us to neglect. We can no longer tolerate the preachings of a revolutionary press. We are determined to bridle literacy license. I am glad to believe that the support of an enlarged Council will go far to assure the Indian public of the soundness of any measures we may deem it right to introduce.

I had hoped to open this new Council under an unclouded political sky. No one has longed more earnestly than I have to allow bygones to be bygones, and to commence a new administrative era with a clean slate. The course of recent events has cancelled the realisation of those hopes, and I can

but assert that the first duty of every government is to maintain the observance of the law,—to provide for the present, and as far as it can for the future welfare of the populations committed to its charge,—to rule, and, if need be, to rule with a strong hand.

But, Gentlemen, though I have no wish to disguise from you the anxieties of the moment, I do not for an instant admit that the necessity of ruthlessly eradicating a great evil from our midst should throw more than a passing shadow over the general political situation in India. I believe that situation to be better than it was five years ago. We must not allow immediate dangers to blind us to the evidences of future promise. I believe that the broadening of political representation has saved India from far greater troubles than those we have now to face. I am convinced that the enlargement of our administrative machinery has enormously strengthened the hands of the Viceroy and of the Government of India, and has brought factors to our aid which would otherwise have had no sympathy with us. I believe above all that the fellow-service of British and Indian administrators under a supreme British Government is the key to the future political happiness of this country. It is in that belief that I have worked hard for India, and when I see around me to-day the representatives of the powerful communities and interests, for whom I pleaded in my note, I feel convinced that the dignity and good sense of this Council will be worthily maintained, and that the navigation of the Indian ship of state will be loyally and ably assisted.

And now that my tenure of my high office is drawing to a close, I hope I may feel that my years of work have borne some fruit and I am grateful to Providence in that He has spared me to be present on this great historical occasion.

## ON PRESS LAW*

*Gentlemen,*—This is the first great measure which has been dealt with by the new Imperial Council, and I congratulate Hon'ble Members on the thoughtful tone of the speeches to which we have listened, and though some exception has been taken to the nature of the powers conferred upon Local Governments, I would ask Hon'ble Members to bear in mind that in framing the Bill the Government of India has had to consider, and to meet as far as possible, very considerable diversities of public opinion. We believe that the Act as now passed avoids unnecessary and irritating interference, and at the same time affords ample machinery for dealing with the evil it is intended to meet. The causes which have rendered legislation necessary were so fully and ably explained to you by Sir Herbert Risley on Friday last and were so eloquently laid before you by the Hon'ble Mr. Sinha today that I need not attempt to repeat them to you. I would rather draw your attention to the political importance and significance of today's discussion. The members of this greatly enlarged Council, thoroughly representative of Indian interests, have passed what may be justly called a repressive measure, because they believe with the Government of India that measure is essential to the welfare of this country In so doing they have furnished the proof which I have always hoped and believed that they would furnish—that increased representation of Indian interests and communities would not weaken, but would vastly strengthen, British administration. That being so, I hope I am right in assuming that we are at the commencement of that new political era of which I have so often spoken, and that the presence on this Council of the leading public men

*Speech in the Imperial Legislative Council on 8 February, 1910.

As officially explained, in order to prevent the spread of sedition and anarchy by seditious writing, a Bill for the better control of the Press was introduced into the Legislative Council on Friday the 4th February, 1910. After reference to a Select Committee the measure was fully discussed in Council on Tuesday the 8th idem and was passed into law with only 2 dissentients.

of India may afford the Viceroy's Government the loyal advice of which it has so often stood in need.

In accordance with this view the Government of India has decided to obliterate, as far as they have it in their power to obliterate, the sore feeling caused by the action which has been forced upon them by past emergencies. We have determined to release the State prisoners who were deported under Regulation III of 1818, 14 months ago. Our justification for their release is based on the belief that the political position has entirely changed, that the political movement of which they were the leaders—sedition as it was—has degenerated into an anarchical plot, which can no longer be legitimately included as part of the political agitation in which they were so culpably implicated. We believe that we are no longer confronted by a political movement such as they inaugurated, but are face to face with any anarchical conspiracy waging war against British and Indian communities alike, and that it will be long before we can exterminate the evil unless these communities agree to work together hand in hand. We believe that their mutual efforts will be greatly encouraged by the release of the deportees as showing that the Government is willing to trust the influential classes of the people and to rely upon their cooperation and loyalty.

But though we have come to this decision, we cannot for an instant disregard the probability of further attempts at outrages, and that probability we are determined to combat with all the weapons at our disposal.

In the meantime we trust that the Act which this Council has passed today will efficiently control the source from which so much evil has emanated.

## ADDRESS AT A FAREWELL DINNER*

*General Drummond and Gentlemen,*—I am quite incapable of expressing to you my appreciation of the reception you have given to the toast of my health. I warmly recognise the honour you have paid me in inviting me to the banquet of to-night. It is very welcome to me to see an old friend in the chair.—an old friend who has reminded me of happy times at Simla in years gone by—who has spoken far too kindly of my past career—and has brought many memories back to me of old soldiering days which I only wish were to more over again. I must thank him too for all he has said of Lady Minto and my daughters—Lady Minto has been deeply interested in the welfare of India. I owe very much to her untiring energy and constant assistance, and I know how earnestly she hopes for the success of those institutions she has done her best to encourage. I assure you, Gentlemen, we shall all of us say good-bye to India and our many friends with a very bitter pang. But, Gentlemen, I feel above all that I am surrounded this evening by those to whose loyal support I have owed so much during the last five years.

Time flies by so quickly in India—every moment is so full—days merge into weeks and weeks merge into months so imperceptibly—that we lose count of the years till it suddenly dawns upon us that our official race is almost run. And the Viceroy has so constantly to face the present, and so often to speculate as to the future, that he has no time to look behind him at the history he has helped to make till the time of his departure draws nigh. His daily life is of necessity a constant strain. Reports from the outposts of the Empire, reports of frontier raids with their stories so often little known of the heroism of frontier officers, correspondence with the heads of Local Administrations and with the great Ruling Chiefs of India, information as to political ambitions and warnings as to seditious machinations, schemes for the development of

*Speech at Farewell Dinner at Simla hosted by the United Service Club on 14 October, 1910.

railways and irrigation, the improvement of agriculture, the extension of education, assistance to commerce and industry, increasing facilities for postal and telegraphic communication, military efficiency, together with the betterment of the lot of our splendid Army, British and Indian, the encouragement of thrift, and all that goes to ameliorate the position of the teeming millions of this country—are only additions to the routine administration of the Government of India.

But, Gentlemen, I am very far from wishing to emphasize the individual work of the Viceroy. The official life of every public servant in India is a time of toil and responsibility. I do not believe that the people at home realise the amount of work or the self-sacrificing devotion demanded from their fellow-countrymen in India—services rendered in a distant land, in a climate trying to European constitutions, often entailing separations from much that is dear to men and women, services for which the rewards of appointment to high office are few and can be but sparsely bestowed, but to which the men, who have borne the burden and heat of the day, should, in my opinion, have the first claim.

Gentlemen, here in Simla, we are in an environment of "files"—the constant companions who never leave me, who brandish a blue label in my face in the small hours of the morning and congregate to receive me in my tent after a hard day's shooting. It may be ungrateful of me not to reciprocate their affection, I have known men so wedded to their society that they could not do without them. I am fully prepared to treat them with all due respect, but personally I have much sympathy with the views of a departmental clerk whose case was once brought up to me by a certain Secretary to Government. I forget just now whether it was a case for promotion or dismissal—it was some years ago. But the Secretary looked serious and hinted that there were some doubts as to the poor man's sanity, for he had been into his office and found him kneeling before a table upon which were a mountain of those ponderous bundles we know so well, with their blue, red and green decorations. His hands were

raised to heaven and in a voice of earnest supplication he was crying aloud—"Oh Lord, deliver me from these files!" "Well", I said, "he certainly is not mad!"—I only hope his yers were granted.

But, Gentlemen, we all know well enough that the files merely embody the details of our everyday work. We shall be judged by the value of it as a whole. And it is no waste of time to look back occasionally and to take stock of its results

It is nearly five years since I landed at Bombay. In the ordinary sense of the expression I was new to India. And yet perhaps not so new to her as some of my predecessors. I had been brought up in the midst of Indian traditions. On both sides of my house I was descended from ancestors who have been distinguished as rulers and soldiers here. I had read much of Indian history and had been fascinated by the stories of its invading hosts, the rule of its great Emperors and the romantic tales of European adventurers, and I had seen service in Afghanistan and had made life-long friendship with frontier officers. Fully recognising the heavy responsibilities of the great office to which I had been appointed, I confess that I looked forward to the future with hope and pride.

I assumed the reins of Government under conditions that seemed to me peculiarly favourable. Their Royal Highnesses the Prince and Princess of Wales were already in India and were carrying out that memorable tour which has so impressed the personality of the King-Emperor upon his subjects, has assured them of his personal interest in their welfare, and has confirmed their loyal devotion to the Throne. Moreover, I felt that I was succeding a statesman who had bequeathed to me an administrative machinery, the efficiency of which he had continuously laboured to perfect.

Much has happened since those days. The sky did not fulfil its promise of fine weather. It has often been difficult to penetrate the mists that have gathered round us. The

clouds have been heavy and threatening. We have heard the mutterings of a storm.

But putting aside for a moment the abnormal anxieties that have weighed upon us, I hope I am entitled to say that the Government of India has during my term of office continued faithfully to discharge its daily work for the benefit of the people committed to its charge and the maintenance of peace upon our borders. Our frontiers have, on the whole, continued quiet. We had two small military expeditions, the rapid organisation of which and the completeness with which their object was obtained, reflect much credit, not only upon the troops and the distinguished General who commanded them, but also upon the military administration which has done so much to further the preparation of our Indian Army for war. And we have had to deal with a succession of raids into British territory—led by outlaws—some of them carried out in considerable strength and with great daring,—to cope with which in the future we are carefully overhauling our system of frontier protection. But so far our difficulties have not in my opinion exceeded what we are bound to expect in accordance with our policy of non-interference with the war-like tribesmen of the hills. The personal influence of our frontier officers has done much to foster mutual understanding with the tribes, and our relations with them have become generally more friendly than in years gone by.

Moreover, the visit of His Majesty the Amir of Afghanistan in the spring of 1907, the cordial relations he established with the Government of India, and, I trust I may say too, the personal friendship I share with him will, I hope, tend still further to ensure the success of our efforts to preserve the quiet of our mutual frontiers.

But, Gentlemen, the borderland is a tinder-box which the merest spark may ignite. Many of you here to-night know those wild hills by heart and admire the fierce bravery of their people—and you know too how impossible it is—at any time—to guarantee that these will continue to keep the peace. And

we have had anxieties elsewhere. On our North-Eastern borders we have been called upon to face new conditions and have had to consider questions affecting frontier States who look to us for protection. I hope that so far the Foreign Department of the Government of India has proved itself a good "warden of the marches," and as head of that Department I cannot say how much I owe to the assistance of its able Secretary.

In the internal affairs of India, too, we have had our troubles—plague, malaria, famine,—we have done our best to combat them, and I hope that the advance of science and the devoted labours of the expert officers to whom India already owes so much will ensure an ever-increasing knowledge of the best means of alleviating the miseries which from time to time afflict her people. And, Gentlemen, notwithstanding the difficulties we have had to face, which after all have been those with which our predecessors have so often been confronted, I trust that we have been able to keep pace with the growing demands of the country and to inaugurate not a little useful legislation.

I have merely endeavoured, Gentlemen, to sketch what I may call the normal history of my administration—*pari passu* with that history there has been another story to tell of times that have been anything but normal. We have passed through five eventful years. Ever since I landed at Bombay, the political state of India has been foremost in my thoughts. In those early days I could not but realise, all too soon, that the political atmosphere was heavy and electric. I felt it. My Colleagues felt it. I believe everyone who thought at all felt it. And as my knowledge of the state of public affairs increased, I became more and more aware of a sullen and widespread dissatisfaction and discontent—a dissatisfaction shared by many loyal subjects of the Throne. There was widespread political unrest, quite apart from revolutionary sedition. Some great change was evidently affecting the conditions which British administrators had hitherto so successfully directed and controlled. Influences were at work to

which the Government of India could not shut its eyes. Ambitions had come into existence, the justice of which we could not deny. The central machinery of the Raj, magnificently as it had worked, was apparently no longer up to date. And what did these ambitions aim at? Please remember, Gentlemen, I am only talking now of what I will call "loyal unrest." Briefly, and speaking quite generally, I believe those ambitions merely embodied the hopes of many thoughtful Indians that a greater share in the government of India should be open to their countrymen. Those hopes were based largely on Queen Victoria's Proclamation of 1858. But what were the causes which had so accentuated the existence of those hopes? I have so often spoken as to this that I must ask you to forgive repetition. They were due, to the best of my belief, to the ripening of the educational seed which British rule has systematically sown,—accelerated by the deep impression produced throughout Asia by the successes of an Eastern military power. The seed was at any rate bound to ripen some day—we were bound some day to reap the results of what we had sown—and to me it has seemed that our recognition of those results has not come a moment too soon, and that it has saved India from many troubles. What I would wish to impress upon you is—that the factor—the grave and novel factor—which the Government of India had to deal with when I came to India was the development of the ambitions to which I have referred. There have always been undercurrents in India hostile to British rule emanating often from traditional religious beliefs, and superstitions, from which political agitators have attempted to profit. But the problem with which the Government of India was confronted in 1906 was something much more genuine, and therefore much more serious. It was the assertion of a political awakening. There were two ways of dealing with it. It was open to the Government of India to say we will not listen to these new ideas—they are opposed to the stability of British rule or, to recongnise the justice of them as the product of years of British administration, and adaptation of British political thought. We had come to the parting of the ways—and to my mind there has never been a shadow of a doubt as to which was the

right road to follow. It was perfectly open to us either to refuse to recognise the signs of the times, or to recognise them and attempt to deal with new conditions. I can only say, Gentlemen, that, if we had adopted the former course, we should have gone back upon all that we have said and done in the past, and alienated from the cause of British administration many who had been brought up in its doctrines and built up hopes upon a belief in its justice. We should have driven them into the camp of the enemy—to become the traducers of British rule. We should have perpetuated a discontented India. Holding these views, we decided that the time had come for a further extension of representative principles in our administration. That decision was arrived at by the Government of India after mature consideration, and was warmly accepted by Lord Morley to whom we owe much for the eloquent and powerful support he gave us at a critical time.

I am axious, Gentlemen, to impress the nature of our decision upon you. It was in response to no seditious menace. It was no pandering to the threats of rebellion. It was the mere acknowledgment of what we believed to be just claims. We had to look below the surface and beyond the incidents and accidents of the hour, in order to direct into fruitful channels currents of thought and feeling which govern, often half consciously, the attitude of numbers of men.

But, Gentlemen, in the spring of 1908, the Mozufferpore murders sent a thrill of horror through all loyal India, and the Maniktollah Garden discoveries gave warning of the ramifications of an anarchical plot aiming, by means of assassination and outrage, at the destruction of British rule—a plot which it became the first duty of the Government of India, as custodians of the public safety, to annihilate, with all the weapons at its disposal—and, if those weapons were insufficient, to forge others specially adapted to meet subterranean machinations. Our so-called repressive legislation was our reply to incipient anarchy.

What was the Government of India to do? Was it on the strength of the Maniktollah discoveries, and the crimes which have followed in their wake, to withdraw recognition it had vouchsafed to the justice of political claims two years earlier? Were those claims to be bracketted with the methods of outrage, dacoity, and assassination? I cannot attempt to say to what extent the refusal to reply to reasonable political hopes might have driven those who would otherwise have been loyal to sympathise with active rebellion. To me it has always been of vital importance to avoid the possibility of such a catastrophe. I have consistently refused to allow the whole of India to be branded as disloyal in deference to personal intimidation, for that is really what it has amounted to, by anarchical conspirators.

But the position had become complex. The Government of India had to play a double part—with one hand to dispense measures calculated to meet novel political conditions—with the other hand sternly to eradicate political crimes. In the midst of such complications I could not enter light-heartedly on a policy of reform, but I refused to lose faith in it. How we have played our part I leave it to posterity to judge, when the passions of the hour have subsided and the incidents of the story have assumed their true proportions.

I need not conceal from you, Gentlemen, how great has been the strain of the last two years.

And the public, especially the public at home, not fully acquainted with Indian difficulties, has perhaps not unnaturally been unable to distinguish between the utterly different problems and risks that have confronted us. The necessity for dealing with reasonable hopes has been lost sight of, whilst every outrage that has occurred has been taken as indicative of the general state of India And throughout its time of trouble every action of the Government has been subjected to microscopic examination, to a running fire of newspaper criticism, to questions in Parliament, to the advice of travellers, who have returned home to write books on India

after a few weeks' sojourn in the country,—whilst sensational "head lines" have helped to fan the imaginations of the man in the street,—who in his turn has cried out for "strong measures", regardless of the meaning of his words, and for a "strong man" to enforce them. Gentlemen, I have heard a good deal of "strong men" in my time—and I can only say that my experience in all our anxious days in India has taught me that the strongest man is he who is not afraid of being called weak.

I have often wondered,—I have no doubt many of you here to-night have wondered—whether the centralised political machinery of Great Britain, subject as it is to many influences, surrounded as it is too by the danger due to false impressions which the marvellous increase in all means of commmunication has so much favoured, could, in a case of really dangerous emergency, do anything but hamper the hands of those entrusted with the preservation of the distant territories of a mighty Empire.

Such has been the state of affairs the Government of India has had to face. Our answer to the problem submitted to us has been the enlarged Councils, Imperial and Provincial, together with such legislation as has seemed to us imperatively necessary to restrain the culture of sedition. You know the composition of the Councils as well as I do—there is no necessity for me to explain it. I would wish, however, to remind you that my object, when Sir A. Arundel's Committee first took up the consideration of a scheme of reform, was not only to ensure a larger representation of interests and communities, but to attract to a share in Indian administration those who had a solid stake in the welfare of India. I was convinced that the addition of such material to our Councils would not only broaden the basis of our administration, but that in doing so it would strengthen the hands of the Government of India. I believe that it has helped immensely to do so.

And, Gentlemen, outside our Councils stand the Ruling

Chiefs of India administering their own wide possessions yet sharing with the Raj the responsibility for the maintenance of the welfare and the glories of their country. I looked to them, too, for that advice which their intimate knowledge of their people so well entitled them to give,—and the cordiality of their loyal response has still further added to the solidarity of those great interests whose assistance I have been so anxious to secure.

But in addition to the enlargement of the Legislative Councils, there has been a change in the composition of the Executive Government of India, which, though it required no legislation, is in its acceptance of a principle fraught with the weightiest meaning in respect to the future of British administration,—I allude to the appointment by the Secretary of State of an Indian to a seat on the Viceroy's Council. It was the literal fulfilment of hopes held out in Queen Victoria's Proclamation—but nevertheless its advisability has been much debated, and as I had not a little to do with the careful consideration it involved, it may not be out of place for me to elucidate one point in connection with it as to which I have held strong views. Whilst fullly recognising the necessity for the representation of diverse Indian communities and interests on the Legislative Councils, I have always argued that appointment to the Viceroy's Council should be made only on grounds of efficiency in addition to general qualifications for high office. The Viceroy's Council constitutes the Supreme Government of India, and I cannot but foresee difficulties if, in attempting to recognise racial claims, the necessary qualifications of an Indian Member should be disregarded. But given such qualifications I have maintained that race should be no bar to the appointment.

Mr. Sinha is the first Indian Colleague of the Viceroy—it is quite unnecessary for me to remind you of the great position his distinguished and exceptional abilities had obtained for him at the Calcutta bar—and, Gentlemen, I cannot let this opportunity pass without bearing testimony to the able assistance he has rendered to the Government of India—and

thanking him for the absolute fairness and broad-minded patriotism which has always characterised the advice I have so often sought from him.

The first sessions of the new Councils have been characterised by moderation of tone in their debates and the good sense of their Members. The official and unofficial world have, in their discussion of public business, been brought into much closer contact than heretofore. The policy of the Government of India on public affairs has been freely discussed, and the reasons for it have been rendered much more available to the outside world.

But the reforms have done much more than this. They have immensely cleared the air. They have helped to define the true intentions of different political factors. Moderate political thought has throughout India rallied to their support, the representatives of extreme views have been located in their own camp, the machinations of anarchy have been disclosed, a line has been distinctly drawn between the supporters of political change and the instigators of political outrage. The Government of India, the leaders of Indian thought and the Indian public can now judge much more correctly of surrounding conditions. The depressing suspicion and apprehensions of mysterious influences have largely disappeared. A happier feeling is abroad.

I am far from saying, Gentlemen, that sedition has disappeared, or that we have seen the last of political crime. It would be culpable to disregard the information at our disposal. But I absolutely deny that, should further outrages occur, they can be taken as symbolical of the general political state of India, or that they can justly be assumed to cast a slur upon the loyalty of its people.

I have been criticised as over-sanguine for asserting the improvement in the state of affairs in the face of disclosures of plots and criminal prosecutions. I reply that those who persist in basing their criticisms on such material have never grasped the portentous meaning of the anxieties the Govern-

ment of India has had to face during the last few years, and totally misjudge the position at present existing in this country.

I hope you will forgive me, Gentlemen, for having dwelt, at unpardonable length, on the story of "the reforms," on the condition of affairs that led up to them, and the difficulties which have surrounded their accomplishment—for they have been the great work of the Government of India during my administration. Though they have been accelerated by exceptional circumstances, they are the necessary response to the evolution of political thought fostered under the tuition of British administrators—and though I readily admit that the true value of their results can only be tested as years go on, the Government of India can unhesitatingly assert that their inauguration has gone far to remove the unrest which had shaken public confidence throughout India.

The mists which have blinded us are lifting, and the sun has commenced to shine again.

The battle the Government of India have fought has to the best of my belief been won. If it is fought again by a future generation in accordance with a still further advance in political thought, it will, I hope, be under conditions less involved than those with which we have had to deal.

Great problems there must always be in the administration of our vast Indian Empire with its multifarious nationalities, religions and castes—but, if I may venture to prophesy, the political agitations we have had to deal with will make way, under the more favourable conditions we have inaugurated, for discussion of the great question affecting economical and industrial development and the direction of educational policy upon which the welfare of the people of India so vitally depends

I rejoice to feel that I am about to hand over the reins of Government to Lord Hardinge, a statesman whose abilities have distinguished him in many lands—and who inherits

traditions of great service rendered to India.

Gentlemen, this is the last occasion upon which the Government of India and the representatives of the public services can meet together during my term of office. I have told you my story—I have told it to you who have been my fellow-workers and comrades in troublous times, who have helped me to steer the ship through many dangerous straits—the men of the great services which have built up the British Raj. We may perhaps at times have thought differently as to the course to be steered—it could not but be otherwise—but you have stood behind me loyally, and I thank you. And I leave India knowing full well that you will perpetuate the great traditions of British rule,—perhaps with few opportunities of much public applause, but with the inestimable satisfaction that you are doing your duty.

Gentlemen, I shall never forget the gathering of this evening, and I thank you from the bottom of my heart for the hospitality you have extended towards me to-night.

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# STERN REACTIONS OF CHURCHILL

## I

## INDIA (GOVERNMENT POLICY)*

When great parties in this country have for many years pursued a combined and united policy on some large issue, and when for what seemed to them to be good reasons, they decide to separate, not only in Debate but by Division, it is desirable and even necessary, that the causes of such separation and the limitations of the differences which exist, should be placed on record. This afternoon we begin a new chapter in our relations across the Floor of the House in regard to the Indian problem. We on this side of the House have, for some time, made it clear that the sole responsibility for the control of India's affairs rests, of course, with His Majesty's Government. We have criticised their action in various ways but this is the first time we have felt it our duty as the official Opposition to express our dissent and difference by a formal vote.

Let us first place on record the measure of agreement which lies between us, and separate from that the differences that now lead us into opposite Lobbies. Both sides of the House are bound by the declaration made at the time of the British Mission to India in March 1942. It is not true to suggest, as was done lately, that this decision marked a decisive change in the policy of the British Parliament towards India. There was a long story

*Speech of Winston Churchill in the House of Commons on 6 March, 1947.

before we got to that. Great Britain had for many years been committed to handing over responsibility for the government of India to the representatives of the Indian people. There was the promise of Dominion status implicit in the declaration of August 1917. There was the expansion and definition of Dominion status by the Statute of Westminster. There was the Simon Commission Report of 1930, followed by the Hoare-Linlithgow Reforms of 1935. There was the Linlithgow offer of 1940, for which, as head of the Government in those days, I took my share of responsibility. By this, the Viceroy undertook that, as soon as possible after the war, Indians themselves should frame a fully self-governing Constitution. All this constituted the preliminary basis on which the proposals of the Cripps Mission of 1942 were set. The proposals of this Mission were not, in fact, a departure in principle from what had long been growing up, but they constituted a definite, decisive and urgent project for action. Let us consider the circumstances in which this offer was made.

The violent irruption of Japan upon East Asia, the withdrawal of the United States Fleet to the American coast, the sinking of the Prince of Wales and the Repulse, the loss of Malaya and the surrender of Singapore, and many other circumstances of that time left us for the moment without any assured means of defending *India* from invasion by Japan. We had lost the command of the Bay of Bengal, and, indeed, to a large extent, of the Indian Ocean. Whether the Provinces of Madras and Bengal would be pillaged and ravaged by the Japanese at that time seemed to hang in the balance, and the question naturally arose with poignant force how best to rally all Indian elements to the defence of their native land.

The offer of the Cripps Mission, I would remind the House, was substantially this: His Majesty's Government undertook to accept and implement an agreed Constitution for an Indian Union, which should be a Dominion, framed by an elected Constituent Assembly and affording representation

to the Princes. This undertaking was subject only to the right of non-acceding Provinces to receive separate treatment, and to the conclusion of a treaty guaranteeing the protection of religious and racial minorities. The offer of the Cripps Mission was not accepted by the political classes in India who alone are vocal and to whom it was addressed. On the contrary, the Congress, led by Mr. Gandhi and Mr. Nehru, did their utmost to make a revolt intended to paralyse the perilous communications of our Army in Burma and to help the fortunes of Japan. Therefore, the National Coalition Government of those days made a large series of mass arrests of Indian Congress leaders, and the bulk were kept in prison until the end of the war. I was not myself present in the Cabinet when these decisions were taken. I was at Cairo preparing for the operations which opened at Alamein, but I highly approved of the action which was taken in my absence by the then Deputy Prime Minister, the present Prime Minister, who sits opposite, and which I think was the only one possible on that occasion.

Therefore, it is quite clear that, whatever was the offer of the Cripps Mission, it was not accepted. On the contrary, it was repudiated by the parties to whom it was addressed. In fact, on his return from India, the President of the Board of Trade—the right hon. and learned Gentleman (Sir Stafford Cripps) who made such a careful statement yesterday—said :

> I stated when I left India that, in default of acceptance, the draft Declaration must be considered as being withdrawn.

I have taken the trouble to verify the quotation. I, for my part, have never bowed—nor do I make any reflection upon him—to the dictum "ease would recant vows made in pain as violent and void." Returning to this country later in the year, I stated on 10 September 1942, with the full assent of my colleagues :

> The broad principles of the declaration made by His Majesty's Government, which formed the basis of the

> Mission of the Lord Privy Seal to India, must be taken as representing the settled policy of the British Crown and Parliament. These principles stand in their full scope and integrity.

That is where I stand now. Both sides of this House are bound by this offer, and bound by all of it, and it is on the basis of this offer being an agreed matter between the parties, and on that basis alone, that our present and future controversies arise. If I am bound by the offer of Dominion status and all that it implies, the Prime Minister is equally bound, or was equally bound, to the conditions about agreement between the principal communities, about the proper discharge of our pledges about the protection of minorities and the like. The right hon. Gentleman has a perfect right to change his mind. He may cast away all these stipulations which we jointly made, and proceed only with the positive side of the offer. He has the right to claim the support of his Parliamentary majority for any action he takes, but he has no right to claim our support beyond the limits to which we are engaged by the Cripps declaration.

A statement was made during the period of what is called the Caretaker Government, of which I was the head, by the then Secretary of State, Mr. Amery, to which frequent reference has been made as if it implied some further advance, but that is not true. I was not consulted on the exact terms of his statement, as I certainly should have been if the Secretary of State had intended to make a further advance upon the position established by the Cripps Mission in 1942. It was Mr. Amery who said :

> The offer of March 1942 stands in its entirety. That offer was based on two main principles. The first is that no limit is set to India's freedom to decide for herself her own destiny, whether as a free member and partner in the British Commonwealth or even without it. The second is that this can only be achieved by a Constitution or Constitutions framed by Indians to which the main elements in

Indian national life are consenting parties. . . That, I may say, is an affirmation, not only of our own loyal purpose, but of the inescapable fact of the Indian situation. We can only transfer our ultimate control over India to a Government or Governments capable of exercising it. . . Our responsibilities to the people of India themselves forbid that course, and, indeed, our responsibilities to the peace of the world forbid it.

I have ventured to ask Mr. Amery whether his statement was intended to make any new declaration beyond the limits of that of the Cripps Mission, and he wrote to me :

I cannot see anything in it which affects, one way or another, the argument which you have used with regard to the sequence in which the Indian Constituent Assembly or an Indian Dominion might declare in favour of separation. In my statement, I simply recalled the two main principles on which the 1942 offer was based, one of which was that no limit is set to India's freedom to decide for herself her own destiny, whether as a free member and partner in the British Commonwealth, or even without it. At that time, none of us had considered the possibility of an Indian Constituent Assembly being invited to declare for or against separation before the Constitution had been accepted by Parliament here, and I cannot imagine that my definition of the principle could have been taken at the time as suggesting or inviting a different sequence to that which we had always contemplated.

The Minister of Defence [Mr. A. V. Alexander] : What is the date of that?

Mr. Churchill : That was written to me two days ago, because the point was made against me that some new declaration had been made during the time of the interim Government while the election was going on, and I am anxious to show that there is nothing which has been said by us, consciously, which in any way carries the matter—(Interruption.) There is nothing controversial about it; I am only trying

to lay down the basis on which we can agree to differ—the basis of 1942 and the present time. Before this latest pronouncement of theirs, His Majesty's Government had already departed from the Cripps Mission declaration of 1942, and they had departed from it in three major aspects. First, they had eliminated the stage of Dominion status. The Cripps Mission expressly said that the objective was the creation of a new Indian Union which would constitute a Dominion associated with the United Kingdom and the other Dominions by common allegiance to the Crown, but equal to them in every respect, in no way subordinated in any aspect of domestic or external affairs.

That stage was entirely cut out by the Prime Minister in his speech sending out the Cabinet Mission a year ago. I was not in the country at the time, or I would have drawn attention to the serious change, but it may well be that all my hon. Friends on this side of the House do not regard that particular change as so serious as I do. I am laying out the facts that justify the Division that is to take place to-night on what has been an actually pursued policy. If the Dominion Status procedure had been involved, in my view, the new Indian Dominion would have bern perfectly free to leave the Commonwealth if it chose, but full opportunity would have been given for all the dangers and disadvantages to be surveyed by responsible Indian Ministers beforehand, and also for the wishes of the great mass of the Indian people to be expressed, as they cannot be expressed now. It would have been possible to insert in the Dominion Constitution the necessary safeguards for minorities, and for the fulfilment of the British pledges to the various elements of Indian life, notably the Depressed Classes. This would have been a part of the agreement between the Indian Union and Great Britain and would have been embodied in the necessary British legislation on the lines of the British North America Act, to which the great free Dominion of Canada has always attached importance, and still does. So the second departure from the Cripps Mission declaration was the total abandonment by His Majesty's Government, of all responsibility for carry-

ing out its pledges to minorities and the Depressed Classes, as well as for fulfilling their treaties with the Indian States. All these are to be left to fend for themselves, or to fight for themselves as best they can. That is a grave major departure.

The third departure was no less grave. The essence of the Cripps Mission declaration was that there should be agreement between the principal Indian communities, namely, the Muslims and the Hindus. That, also, has been thrown overboard. But I state, as it is my duty to do when we take a step such as we are going to take to-night, of great formality and solemnness, that it is the Government who have broken away from the agreement which has been reached between parties, and has so long subsisted between parties, and that it is not we in the Conservative Party who have, in any way gone back on our faithful undertaking. To these departures from our principle, there must be added a formidable list of practical mistakes in handling the problem during that past year since the Cabinet Mission was sent out. Some of these mistakes may have been made by the Government, and some of them by the Viceroy, but they are both jointly responsible for all.

First there was the attempt to formulate a Constitution and press it upon the Indians, instead of leaving the Indians, as had been promised, the duty of framing their own proposals. That action, however well intended, has proved to be devoid of advantage, and must be rated as a mistake. Secondly, there was the summoning of a so-called Constituent Assembly upon the altogether inadequate and unrepresentative franchise, an Assembly which was called into being, but which had absolutely no claim or right to decide the fate of India, or any claim to express the opinion of the great masses of the Indians. That is the second mistake. The third mistake was the dismissal of the eminent Indians composing the Viceroy's Council, and the handing over of the government of India to Mr. Nehru.

This government of Mr. Nehru has been a complete disaster, and a great degeneration and demoralisation in the

already weakened departmental machinery of the Government of India has followed from it. Thirty or forty thousand people have been slaughtered in the warfare between the two principal religions. Corruption is growing apace. They talk of giving India freedom. But freedom has been restricted since this interim Nehru Government has come to power. Communism is growing so fast that it has been found necessary to raid and suppress Communist establishments and centres which, in our broad British tolerance we do not do here, and have never done in India. [Interruption.) I am illustrating the steps to freedom which, so far, have been marked by every degree in which British control is relaxed, by the restriction of the ordinary individual, whatever his political view. It was a cardinal mistake to entrust the government of India to the caste Hindu, Mr. Nehru. He has good reason to be the most bitter enemy of any connection between India and the British Commonwealth.

I consider that that must be regarded as the third practical administrative mistake, apart from those large departures in principle which may be charged against the present British Government in this Indian sphere. Such was the situation before the latest plunge which the Government have taken, was made, and it is this plunge which, added to all that has gone before, makes it our duty to sever ourselves altogether from the Indian policy of His Majesty's Government, and to disclaim all responsibility for the consequences which will darken— aye, and redden the coming years.

I am offering the House an argument concerning the steps we are going to take which I and my friends have regarded as most serious and most anxious steps. I have stated where we agree, and I am now proceeding to show the differences of principle and mistakes of administration due to Government action. The Viceroy, Lord Wavell, has been dismissed. I hold no brief for Lord Wavell. He has been the willing or unwilling agent of the Government in all the errors and mistakes into which they have been led, and which I have just described, but I have no idea why he

has been cast aside at this juncture. The Prime Minister has refused to give the slightest indication of the differences which must have arisen between the Government and the Viceroy. It is not possible for us to form an opinion on many aspects of the Indian controversy while this concealment is maintained. It is most unusual for great political severances of this kind to take place in time of peace without statements being made both by the Government and the dismissed functionary, to justify their respective positions. I had some argument the other day with the Prime Minister about this. It is quite true that in war many Ministers were removed from their offices without their wishing to make any explanation to Parliament, but if they had wished to do so, or if there had been any demand in Parliament for an explanation, such as we have made in this case. I should certainly have felt it my duty, as Prime Minister, to facilitate such a process—I am not in the least afraid to defend any action in my public life, here in this House, if it is challenged in due course—provided, of course, that military plans were not exposed or compromised

Before the war, statements for the reasons justifying the resignations of Ministers or functionaries were a commonplace. My right hon. Friend the Member for Warwick and Leamington (Mr. Eden) resigned in 1938. We all approved his action—(Hon. Members : "Oh.") I content myself by saying that opinions were divided on that question, as upon so many others He and Lord Cranborne resigned; they both made full explanations and were answered by the Prime Minister of the day. Going back over the years in English history, we know all the great statements that have been made on the resignations of Ministers and important persons upon great public differences, and this is what they owe to themselves to-day. When Sir Ben Smith resigned the other day, I was astonished that he did not make a statement about differences which were known to exist, although I am not quite so astonished about it now. It is an unwholesome way of conducting public affairs in time of peace that Ministers or Viceroys should be dismissed or should resign,

and should not feel it necessary to their self respect to explain to the nation the reasons for their departure. However, I understand that Lord Wavell will be free as soon as he returns to this country. Is that so?

The Prime Minister (Mr. Attle) indicated assent.

Mr. Churchill : That is so. Certainly it will be expected of him to make a statement. There is one point, however, on which we ought to have some information to-day, because it is material to the issues before us. Was the Viceroy in favour of the time limit, or was he not? I hoped that we should have some information on that point, at least.

Let me now turn from the dismissed Viceroy to the new Viceroy. I do not think that the 14 months' time limit gives the new Viceroy a fair chance. We do not know what directives have been given to him. No explanation of that has been provided. Indeed, we are told very little. Looking on this Indian problem and having to address the House upon it, I am surprised how many great gaps there are in information which should be in the full possession of the House. We are told very little. What is the policy and purpose for which he is to be sent out, and how is he to employ these 14 months? Is he to make a new effort to restore the situation, or is it merely Operation Scuttle on which he and other distinguished officers have been despatched? The Prime Minister should deal with this and should tell us something of the purpose behind all these movements. Parliament has its powers, but it may use them wrongly and unwisely if it is not given information which, in all other periods that I have known, would have been placed at its disposal—except, of course, in time of war when we must not tell the enemy what we intend to do.

Everyone knows that the 14 months' time limit is fatal to any orderly transference of power, and I am bound to say that the whole thing wears the aspect of an attempt by the Government to make use of brilliant war figures in order to

cover up a melancholy and disastrous transaction. One thing seems to me absolutely certain. The Government, by their 14 months' time limit, have put an end to all prospect of Indian unity. I myself have never believed that that could be preserved after the departure of the British Raj, but the last chance has been extinguished by the Government's action. How can one suppose that the thousand-year gulf which yawns between Muslim and Hindu will be bridged in 14 months? Here are these people, in many cases, of the same race, charming people, lightly clad, crowded together in all the streets and bazaars and so forth, and yet there is no intermarriage. It is astounding. Religion has raised a bar which not even the strongest impulse of nature can overleap. It is an astounding thing. Yet the Government expect in 14 months that there will be an agreement on these subjects between these races.

I speak in all consciousness of the fallibility of human judgment in regard to future events, of which we are all conscious. Sometimes I have not always been wrong in giving forecasts, though I have often failed to get the support I required at the time when it would have been advantageous. Henceforward in India, in my view, everyone will start staking out their claims and preparing to defend them; and they have the assurance of the British Government that they will recognise them and treat with them if they only make enough noise and establish themselves. They have only to make enough demonstration of their identity and right to separate existence and consideration. That will not lead to a melting of hearts, which will throw them all together and sweep away this centuries' old, this millennium-old division. On the contrary, it is inviting them to take advantage of the time that is left to peg out their claims, and to take up strong ground to defend their rights, which they value more than life itself.

No arrangement has been made about all the great common Services. My right hon. Friend the Member for the Scottish Universities (Sir. J. Anderson) yesterday, in a speech

instinct with deep and slowly acquired knowledge of the problem, dealt with the question of the common Services. There are very many : defence, foreign affairs, communications by road, rail and air, water, the waterways, with great rivers that flow from one territory into another, some greater than the Danube and the Rhine in Europe. All these manifest themselves, and come into vast populations and the broad territories of Hindustan. There are the so-called Imperial Services; that is to say, the Indian Civil Service, the Indian Police, the Customs and Tariffs; there are subsidies for many Provincial activities like education and development, both industrial and agricultural, the finding for the above purposes of reserve powers for Provinces in case of some emergency; provision for paying pensions, earned in many parts of India by Indians, by some of the bravest fighting men in the world for their loyalty to successive emperors and the British Crown, and for their bravery in the war. What guarantee have they, when divisions are to be made in this manner?

India is to be subjected not merely to partition, but to fragmentation, and to haphazard fragmentation. A time limit is imposed—a kind of guillotine—which will certainly prevent the full, fair and reasonable discussion of the great complicated issues that are involved. These 14 months will not be used for the melting of hearts and the union of Muslim and Hindu all over India. They will be used in preparation for civil war; and they will be marked continually by disorders and disturbances such as are now going on in the great city of Lahore. In spite of the great efforts which have been made by the leaders on both sides to allay them, out of sheer alarm and fear of what would happen, still these troubles break out, and they are sinking profoundly into India, in the heart of the Indian problem—(Laughter)—the right hon. and learned Gentleman (Sir Stafford Cripps) ought not to laugh. Although of fanatical disposition, he has a tender heart. I am sure that the horrors that have been going on since he put the Nehru Government in power, the spectacle we have seen in viewing these horrors, with the corpses of men, women and children littering the ground in thousands, have wrung his

heart. I wonder that even his imagination does not guide him to review these matters searchingly in his own conscience.

Let the House remember this. The Indian political parties and political classes do not represent the Indian masses. It is a delusion to believe that they do. I wish they did. They are not as represantative of them as the movements in Britain represent the surges and impulses of the British nation. This has been proved in the war, and I can show the House how it was proved. The Congress Party declared non-co-operation with Great Britain and the Allies. The other great political party, to whom all main power is to be given, the Muslim League, sought to make a bargain about it, but no bargain was made. So both great political parties in India, the only forces that have been dealt with so far, stood aside. Nevertheless, the only great volunteer army in the world that fought on either side in that struggle was formed in India. More than three and a half million men came forward to support the King Emperor and the cause of Britain; they came forward not by conscription or compulsion, but out of their loyalty to Britain and to all that Britain stood for in their lives. In handing over the Government of India to these so-called political classes we are handing over to men of straw, of whom, in a few years, no trace will remain.

This Government, by their latest action, this 14 months' limitation—which is what I am coming to cripple the new Viceroy and destroy the prospect of even going through the business on the agenda which has to be settled. This can only be explained as the complete adoption of one of Mr. Gandhi's most scatterbrained observations, which I will read to the House. It was made on 24 May 1942, after the Mission. He said :

> Leave India in God's hands, in modern parlance, to anarchy; and that anarchy may lead to internecine warfare for a time, or to unrestricted dacoities. From these a true India will arise in place of the false one we see.

There, as far as I can see, is a statement indistinguishable from the policy His Majesty's Government are determined to pursue.

I wish to pursue this matter and, with the great respect, indulgence and kindness I always receive from the House, to unfold a connected argument to them in all its stages. I must compare, with bewilderment, the attitude of His Majesty's Government towards India and towards Palestine. There is a time limit for India, but no time limit for Palestine. I must say, that astonished me. Two bottles of powerful medicine have been prepared, but they are sent to the wrong patients. The policy in these two places taken together is incomprehensible. I do not understand how they can have originated from any coherent human brain; and even from a Cabinet which, no doubt, has many incoherencies in it, it is incomprehensible. Can the House believe there are three or four times as many British troops in little petty Palestine as in mighty India at the present time? What is the idea behind such a thing? What is the point and sense of this distribution of our forces, which we are told are so limited? I do not know where the sustained effort we are making in Palestine comes from, or what element of obstinacy has forced this peculiar assertion in the midst of general surrender and scuttle of British will power in Palestine. I do not know where it comes from; but evidently some very powerful Minister has said he is going to have his way in it, and nobody has dared to withstand him. I cannot tell who it is I have only my surmise.

The sustained effort we are making in Palestine, if applied in India, would have enabled the plan of the Cripps Mission to be carried out, fully discussed with full deliberation and firmness; and we should have kept all our pledges, and we should have gone steadily forward through this crisis. It is indeed a paradox that the opposite course should be taken, and that here, in India, where such vast consequences are at stake, we are told we must be off in 14 months; whereas, in this small Palestine, with which we have been connected but 25 years, and hold only on Mandate, we are to make all these exertions, and pour

out our treasure, and keep 100,000 men or more marching around in circumstances most vexatious and painful to them.

Well, I have made the case of the reasons and grounds why the Opposition, the Conservative Opposition, feel it necessary to dissociate themselves from the further progress of the Government on this road to ruin. I have given, I think, good grounds for the step which we now take, and which we are not taking without a great deal of heart-searching and consideration. But before I sit down, I should like to touch upon another aspect. I read this morning in the Official Report the speech of the hon. Member for Gateshead (Mr. Zilliacus). I do not know whether he is in the House.

Mr. Zilliacus (Gateshead): Here.

Mr. Churchill : We do not often find ourselves thinking on similar lines.

Mr. Kirkwood (Dumbarton Burghs) : The right hon. Gentleman will have to watch himself.

Mr. Churchill : David, keep quiet. (Laughter.) We are old allies, and do not interfere with each other when we are in action. As I say, I read the speech of the hon. Member for Gateshead. We do not often find ourselves in agreement or thinking along similar lines. Nor am I in agreement with much that he said last night. But it is a fact that I had already intended myself to strike the note of the United Nations being brought into the Indian problem. I have for some time pressed upon His Majesty's Government that, if they are unable to carry out their pledges in Palestine or keep order there, they should return their Mandate, or, at any rate, invoke the aid of U.N.O. to help them in their work; and that, after six or seven months' delay—a needless delay—they have actually done. Now, is it not difficult to resist the feeling that the same train of reasoning applies on a far greater scale and with much stronger force to India? We are told that we cannot walk out of Palestine because we should leave behind us a war between 600,000 Jews and 200,000 Arabs How, then, can we walk out

of India in 14 months and leave behind us a war between 90 million Muslims and 200 million caste Hindus, and all the other tribulations which will fall upon the helpless population of 400 million? Will it not be a terrible disgrace to our name and record if, after our 14 months' time limit, we allow one fifth of the population of the globe, occupying a region nearly as large as Europe, to fall into chaos and into carnage? Would it not be a world crime that we should be committing, a crime that would stain—not merely strip us, as we are being stripped, in the material position—but would stain our good name for ever?

Yesterday, the President of the Board of Trade and other speakers brought into great prominence our physical and military weakness. How can we keep a large Army in India for 15 or 20 years? He and other speakers stressed that point; and, certainly, it is a very grave point. But he might as well have urged that in our present forlorn condition we have not only not the physical strength, but not the moral strength and willpower. If we, through lack of physical and moral strength, cannot wind up our affairs in a responsible and humane and honourable fashion, ought we not to consider invoking the aid or, at least, the advice of the world international organisation, which is now clothed with reality, and on which so many of us, in all parts of the House, base our hopes for the peaceful progress, freedom, and, indeed, the salvation of all mankind?

I say to His Majesty's Government that, if they feel it right in the case of little Palestine to lay their difficulties before U.N.O., what conceivable reason can there be for not following a similar course in the case of this vast subcontinent of India? Granted the position to which they have carried affairs by their actions if they cannot, through their weakness and moral prostratian, fulfil their pledges to vast, helpless communities numbered by scores of millions, are they not bound in honour, in decency, and, indeed, in common sense to seek the aid of the wider instruments and authorities? I say that if all practical hopes of Britain's discharging her task have vanished —it is not my view, but it is the prevailing mood : it is the

mood of those who are all powerful to-day—if they have all vanished, then, at least, there is this new world organisation, brought into being by the agonies of two devastating wars, which should certainly not be overlooked or ignored.

The hon. Member for Gateshead spoke of the precedent of the multi-national membership of the United Nations, he instanced the Soviet Union and spoke of the possibility of affording those safeguards for minorities which, we are assured by His Majesty's Government, Britain has lost the strength and will power to provide. He spoke of the right of minorities to appear before the Permanent Court of International Justice. I must say that I do not think such aspects should be overlooked in this position, in this period of British depression and eclipse.

I thank the House for listening so long and so attentively to what I have said. I have spoken with a lifetime of thought and contact with these topics. It is with deep grief I watch the clattering down of the British Empire with all its glories, and all the services it has rendered to mankind. I am sure that in the hour of our victory now not so long ago, we had the power to make a solution of our difficulties which would have been honourable and lasting. Many have defended Britain against her foes. None can defend her against herself. We must face the evils that are coming upon us and that we are powerless to avert. We must do our best in all these circumstances and not exclude any expedient that may help to mitigate the ruin and disaster that will follow the disappearance of Britain from the East. But, at least, let us not add by shameful flight, by a premature hurried scuttle—at least, let us not add to the pangs of sorrow so many of us feel, the taint and smear of shame.

## II

## INDIA (TRANSFER OF POWER)*

It is, of course, impossible for the House to weigh and measure the full meaning of the most important statement which has just been made to us by the Prime Minister. I am bound to say that it seemed very difficult to understand, but the White Paper which is in the Vote Office will have to be studied with attention and will probably carry the largest measure of proof to those who are best instructed. No doubt we shall have a Debate at a suitable moment on this question. I am not asking for any particular date to be fixed at the present moment. I am bound to say, however, that the two conditions foreseen at the time of the Cripps Mission, which was set up under my Administration—namely, first, agreement between the Indian parties and, secondly, a period of Dominion Status in which India or any part of it may freely decide whether or not to remain within the association of the British Commonwealth of Nations—seem to be fulfilled.

Mr. Stokes: On a point of Order, Mr. Speaker. May I ask whether there is any Motion before the House? Surely, this is developing into a Debate and is out of Order.

Mr. Churchill: May I respectfully say that this is a matter of considerable importance? Surely, the Opposition party should be permitted to make some passing and brief comments.

Mr. Speaker: I was watching the matter. Of course, it is perfectly true that there is no Motion before the House, but I do think that at this moment, there should be a slight amount of latitude. I feel sure hon. Members will not abuse it and I think it is only right.

Mr. Churchill: As I was saying, the two principles on which the Cripps Mission stood—namely, agreement and a period of Dominion Status with perfect freedom to choose—

*Speech in the House of Commons on 3 June, 1947.

appear to be fulfilled, as far as I can see from the copy of the White Paper which is now in the Vote Office and which, through the courtesy of the Prime Minister, I received an hour ago.

Mr. Gallacher : Why have we not all had a copy?

Mr. Churchill : Even in Russia there are distinctions between the grades which different people occupy. If it should prove to be the case that these two conditions have been maintained in fact and in form, then I say that all parties in this House are equally pledged by the offer and the declaration that we have made, and on these points we can only be well assured by the course of events in the next few weeks and months. It is quite true that the agreement of the various parties in India has only been achieved on the basis of partition. I gather that is the foundation. Nevertheless, after a reasonable period of deliberation and responsibility, should all these parties decide to remain within the British Commonwealth of Nations, the theme of the unity of India will be preserved, and the many nations and States of India may find their unity within the mysterious circle of the British Crown, just as the self-governing Dominions have done for so many years after all other links with the mother country, save those of sentiment, have been dissolved. It may, therefore, be that through a form of partition, the unity of India may, none the less, be preserved.

I do not wish to trespass upon the indulgence of the House but, finally, we must ask ourselves even at this early moment whether, after matters have proceeded thus far—and my opinions about them are well known—any better way can be found of saving India from the blood bath which may stand so near. I cannot doubt that, at first sight, and subject to the unknown factors working out in a favourable manner, it would seem that a settlement on these lines may offer to India some prospect of escape from one of the most hideous calamities which has ever ravaged the vast expanses of Asia. Naturally, we cannot form opinions upon the very great outlines and the complicated details that have been given; nor

can we form decided opinions without knowing what will be the correspondence of the actual facts with what is hoped for from them, by the Government, the Viceroy and others responsible for India.

However, I will say at once, with regard to the right hon. Gentleman's statement about impending legislation, that if the facts correspond to the outlines with which we have been presented this afternoon, and if it is necessary, as I gather it is, that legislation should be introduced to implement speedily the transference of power on Dominion Status terms, to the various parts of India so that they can decide their future for themselves at leisure, it would not be right that such legislation should be deemed contentious, or that any long delays should elapse after it is introduced before it is passed into law. Therefore, while reserving our full freedom to discuss points of detail, we shall not oppose any Bills to confer Dominion Status on the various parts of India, which may be presented to us on the basis of the statement made this afternoon by the Prime Minister. The Prime Minister said that great credit was due to the Viceroy. These are matters about which it is extremely difficult to form decided opinions now, but if the hopes which are enshrined in this Declaration should be borne out, great credit will indeed be due, not only to the Viceroy but to the Prime Minister who advised His Majesty to appoint him.

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